

LEGISLATIVE COMMITTEE MINUTES

**SB155**

# Bill as Introduced

SB 155-FN - AS INTRODUCED

2021 SESSION

21-1080  
05/10

SENATE BILL

***155-FN***

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Executive Departments and Administration

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ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing and vaccination by pharmacists and pharmacy technicians.
- IV. Authorizes temporary emergency remote or hybrid learning in schools.
- V. Provides reimbursement to private bus school bus owners delivering free and reduced price lunch services to students learning remotely.
- VI. Authorizes school bus operators to use warning signals when delivering food, supplies, and other materials to students learning remotely.
- VII. Establishes a remote learning verification program in the department of health and human services.
- VIII. Temporarily expands eligibility for one-year teaching certificates.
- IX. Addresses insurance coverage for medical services provided at alternative care sites.
- X. Waives signature requirements for receipt of certain prescriptions.
- XI. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- XII. Allows the commissioner of the department of health and human services to add additional members to the ethics committee under RSA 141-C.
- XIII. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 due to COVID-19.
- XIV. Authorizes the director of the division of motor vehicles to minimize in-person contact within the division.
- XV. Allows driver education programs to provide classroom instruction remotely.

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XVI. Temporarily suspends the physical presence and location requirements for a public meeting under RSA 91-A.

XVII. Suspends certain signature requirements by the department of health and human services.

XVIII. Suspends the collection of premiums for participation in the MEAD program.

XIX. Allows for the acceptance and use of electronic records by local governing bodies.

XX. Waives certain hearing requirements for municipalities that postponed town meetings or elections.

XXI. Establishes procedures to allow construction to continue during the pandemic.

XXII. Establishes temporary procedures for the swearing in of local officers and officials.

XXIII. Allows municipalities to adopt social distancing policies and practices.

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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 Twenty One*

AN ACT                   codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

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

1           1 New Section; Nurse Practice Act; Temporary Health Partner. Amend RSA 326-B by inserting  
2 after section 14 the following new section:

3           326-B:14-a Temporary Health Partner.

4           I. To address staffing shortages at long-term care facilities and meet the needs of some of  
5 New Hampshire's most vulnerable populations, the position of temporary health partner (THP) is  
6 hereby authorized to work in a skilled nursing facility, notwithstanding any provision of RSA 326-  
7 B:14, provided that:

8                   (a) The THP completes training of no less than 8 hours, provided by a national  
9 association such as the American Health Care Association or by a New Hampshire educational  
10 program.

11                   (b) THPs shall work under the supervision of an RN, APRN, or LPN, as is required of  
12 LNAs under RSA 326-B:14.

13                   (c) The scope of work authorized to be performed by THPs is limited to the work set  
14 forth in this section and shall be performed in accordance with the resident care plan.

15                   (d) The THP has demonstrated competency, as determined by the employing long-term  
16 care facility, prior to performing any of the activities set forth in this section.

17           II. Scope of work for a temporary health partner (THP):

18                   (a) The THP is a temporary position limited to assist LNAs and nurses in their daily  
19 tasks. Each of these tasks shall not be performed without proper training and demonstrating  
20 competency in such tasks. The THP shall work under the direction and supervision of licensed  
21 nurses to assist nurses and LNAs to provide services set forth in each resident care plan. Before  
22 performing any tasks described in subparagraph (b), the THP shall have been trained and  
23 demonstrated competency to perform such tasks, and shall review and adhere to the resident care  
24 plan. The facility shall provide direction and oversight to the THP.

25                   (b) After the employing facility ensures skill competency, the THP may perform any of  
26 the following activities:

27                           (1) Nutrition and elimination assistance. Assist with elimination, including toileting  
28 and peri-care, and assist with routine ostomy care.

29                           (2) Comfort care and end-of-life care. Assist with promoting comfort and sleep,  
30 assist with end-of-life care, and assist with physical care of body after death.

1 (3) Activities of daily living. Assist with bathing, oral care, denture care, grooming,  
2 shaving, nail care, and dressing and undressing.

3 (4) Infection control practices. Assist with hand hygiene, standard and  
4 transmission-based precautions, cleaning and disinfection, utilization of personal protective  
5 equipment (PPE).

6 (5) Positioning, moving, and restorative care. Assist with ambulation or walking  
7 and occupied bedmaking.

8 III. The position of THP shall not be considered a substitute for licensure as an LNA under  
9 RSA 326-B:14 but is intended to assist the work of LNAs. The THP shall not perform services  
10 independently and shall be supervised by licensed nurses at all times.

11 2 New Section; Office of Professional Licensure and Certification; Emergency Licensing Process.  
12 Amend RSA 310-A by inserting after section 1-g the following new section:

13 310-A:1-h Emergency Licensing Process. Notwithstanding any other law to the contrary, the  
14 office of professional licensure and certification may issue emergency licenses to the following  
15 applicants:

16 I. Any medical provider previously licensed in New Hampshire in the last 3 years whose  
17 license is no longer active, subject to the following:

18 (a) The medical provider's license was in good standing prior to being placed in inactive  
19 or lapsed status.

20 (b) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
21 required to complete continuing education as a condition precedent to reactivating their license  
22 pursuant to this section.

23 II. Any medical provider previously licensed to practice in another jurisdiction within the  
24 last 3 years whose license is no longer active, subject to the following:

25 (a) The medical provider's license was in good standing in another United States  
26 jurisdiction prior to being placed in inactive or lapsed status; and

27 (b) The medical provider presents evidence to the office of professional licensure and  
28 certification that the medical provider was licensed and in good standing immediately prior to the  
29 change in licensure status.

30 (c) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
31 required to complete continuing education as a condition precedent to receive an emergency license  
32 pursuant to this section.

33 III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation  
34 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the  
35 following:

36 (a) The fellow is American Board of Medical Specialties (ABMS) or American  
37 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

1 (b) The fellow is appointed to the medical staff at a sponsoring institution and will  
2 engage in practice consistent with the policies and procedures of the sponsoring institution and its  
3 participating sites.

4 (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual  
5 education time in any academic year.

6 (d) A fellow seeking to practice under this paragraph shall provide the office of  
7 professional licensure and certification with appropriate evidence that the required qualifications  
8 have been met.

9 IV. Senior nursing students, who are scheduled to graduate within 5 months from the date  
10 of application, from a board of nursing approved registered nursing or practical nursing program,  
11 subject to the following:

12 (a) The individual is employed by or providing health care services at the direction of, a  
13 licensed health care facility or a licensed health care provider.

14 (b) The individual is directly supervised while providing health care services.

15 (c) The health care services are being provided in response to the COVID-19 pandemic.

16 IV. Current and former military service members who have been assigned a military  
17 occupational specialty code of 68W (Army) or 4N0X1 (Air Force), with or without additional skill  
18 identifiers, and who, as part of their service in the military, have utilized their military occupational  
19 specialty within the last 3 years, may apply for a license as a nursing assistant in New Hampshire.

20 V. An individual licensed as an EMT-Basic, Advanced EMT, or Paramedic in any United  
21 States jurisdiction who presently holds a certification from the National Registry of Emergency  
22 Medical Technicians (NREMT), may apply for an emergency license as a licensed nursing assistant.

23 VI. Any provider seeking an emergency license under this section shall submit his or her  
24 request on a form adopted by the office of professional licensure and certification for such purpose.

25 VII. In this section, an applicant in good standing shall include medical providers who are  
26 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have  
27 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

28 VIII. Licenses issued pursuant to this section shall be on a temporary basis and shall expire  
29 on or before January 31, 2022.

30 IX. All individuals licensed under this section shall be subject to the jurisdiction of the state  
31 licensing body for that profession.

32 X. The office of professional licensure and certification may issue guidance relative to the  
33 emergency licensing process established in this section, which may include guidance concerning the  
34 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

35 3 Pharmacists and Pharmacies; Definition of the Practice of Pharmacy. Amend RSA 318:1, XIV  
36 to read as follows:

1           XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and  
2 shall include the interpretation and evaluation of prescription orders; the administration,  
3 compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug  
4 selection and drug-related device selection; drug evaluation; utilization or regimen review; the  
5 monitoring of drug therapy and use; medication therapy management in accordance with  
6 collaborative pharmacy practice agreements; the proper and safe storage and distribution of drugs  
7 and devices, and the proper maintenance of proper records; the responsibility of advising, when  
8 necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; *the*  
9 *initiating, ordering, administering, and analyzing of FDA approved Emergency Use*  
10 *Authorization SARS-CoV-2 (COVID-19) point-of-care diagnostic kits (COVID-19 tests or test*  
11 *kits) to detect SARS-CoV-2 or its antibodies, so long as the pharmacist has received the*  
12 *adequate education and training to do so*; and the offering or performing of these acts, services,  
13 operations, or transactions necessary in the conduct, operation, management, and control of  
14 pharmacy.

15           4 New Section; Pharmacists and Pharmacies; COVID-19 Testing. Amend RSA 318 by inserting  
16 after section 14-a the following new section:

17           318:14-b COVID-19 Testing. Pharmacists may administer COVID-19 testing if the following  
18 conditions are met:

19           I. The pharmacist received adequate education and training to initiate, order, administer,  
20 and analyze COVID-19 test kits.

21           II. The COVID-19 tests are administered at a pharmacy that holds the appropriate clinical  
22 laboratory improvement amendments (CLIA) certificate and a New Hampshire laboratory license  
23 issued by the department of health and human services (DHHS) or DHHS waiver.

24           III. The pharmacy creates and implements policies and procedures to address the collection,  
25 storage, transport, and analysis of samples collected as a result of administering and analyzing  
26 COVID-19 test kits. Such policies and procedures shall be in accordance with the manufacturer's  
27 instructions and supplemented as needed.

28           5 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of COVID-  
29 19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

30           318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire  
31 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 3 years  
32 of age or older while under the supervision of a New Hampshire licensed pharmacist, if the following  
33 conditions are met:

34           I. The vaccination is ordered by the supervising pharmacist.

35           II. The supervising pharmacist is readily and immediately available to the immunizing  
36 registered or certified pharmacy technician.

37           III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.



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1 IV. The COVID-19 vaccine is ordered and administered according to the Advisory  
2 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.

3 V. The registered or certified pharmacy technician has completed a practical training  
4 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training  
5 program shall include hands-on injection technique and the recognition and treatment of emergency  
6 reactions to vaccines.

7 VI. The registered or certified pharmacy technician has a current certificate in basic  
8 cardiopulmonary resuscitation.

9 VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of  
10 ACPE-approved, immunization-related continuing pharmacy education during the relevant state  
11 licensing period.

12 VIII. The supervising pharmacist shall comply with all recordkeeping and reporting  
13 requirements.

14 IX. The supervising pharmacist shall be responsible for complying with requirements  
15 related to reporting adverse events.

16 X. The supervising pharmacist shall review the vaccine registry or other vaccination records  
17 before ordering the registered or certified pharmacy technician to administer the vaccination.

18 XI. If the patient is 18 years of age or younger, the registered or certified pharmacy  
19 technician shall inform the patient and the adult caregiver accompanying the patient of the  
20 importance of a well-child visit with a pediatrician or other licensed primary-care provider and refer  
21 the patient as appropriate.

22 XII. The supervising pharmacist shall comply with any applicable requirements or  
23 conditions of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other  
24 federal requirements that apply to the administration of COVID-19 vaccine.

25 6 New Section; COVID-19 Temporary Emergency Remote or Hybrid Learning. Amend RSA 189  
26 by inserting after section 1-e the following new section:

27 189:1-f COVID-19 Temporary Emergency Remote or Hybrid Learning.

28 I. The commissioner, with approval of the governor, may grant a request by a school facility  
29 or district to temporarily transition to a remote or hybrid method of instruction whenever it is  
30 necessary to mitigate the spread of COVID-19 due to substantial community transmission or  
31 transmission within a school facility. Each school facility or district granted permission to  
32 temporarily transition to a remote or hybrid method of instruction shall take any and all necessary  
33 steps to meet its obligation to provide a free and appropriate education to each of its students.

34 II. Notwithstanding a grant of permission to temporarily transition to a remote or hybrid  
35 method of instruction, the school district shall continue to comply with requirements under state and  
36 federal special education laws, including without limitation the Individuals with Disabilities  
37 Education Act and Section 504 of the Rehabilitation Act of 1973, in the delivery of instruction and

1 support services pursuant to any offered instructional model, including without limitation,  
2 traditional instruction, distance learning, and hybrid models, consistent with United States  
3 Department of Education Guidance.

4 (a) In fulfilling its obligations pursuant to Ed 1100, et seq., a school district that  
5 provides instruction through a temporary remote or hybrid model for the district's general education  
6 population shall not exclude in-person services from consideration for students with disabilities. In-  
7 person services shall be provided if such services are necessitated by a student's individualized needs  
8 and are consistent with the health and safety needs of the child, the child's teachers, and the child's  
9 family.

10 (b) No later than June 30, 2021, every school district shall hold Individualized Education  
11 Plan ("IEP") team meetings, as set forth in RSA 186-C:7 and Ed 1107, to consider Extended-School  
12 Year ("ESY") services for each child with an IEP, regardless of whether the child been provided ESY  
13 services in the past.

14 (c) Notwithstanding a grant of permission to temporarily transition to a remote or  
15 hybrid method of instruction, every school district shall hold an IEP team meeting for each student  
16 identified for special education services no later than 30 calendar days after the first day of the  
17 school district's 2021-2022 school year. At the meeting, the IEP team shall consider what  
18 compensatory education services, if any, are required to be provided to make up for services not  
19 provided during period of remote instruction and support, student regression, or a student's failure  
20 to make expected progress as indicated in the student's IEP.

21 (d) For any evaluation criteria described in Ed 1100, et seq., that cannot be satisfied  
22 because of a temporary shift to remote instruction and support, such as classroom evaluations, the  
23 school district shall:

24 (1) Include in its evaluation the reason the criterion was not considered; and

25 (2) Use best efforts to obtain the information the IEP team needs to determine  
26 eligibility and the services and supports the child needs to receive a free appropriate public  
27 education through other available criteria.

28 III. In order to facilitate uniformity across the state and to enable cooperation among and  
29 between school districts and the department of education in vetting new software applications,  
30 digital tools, and extensions for data privacy compliance, any software application, digital tool, or  
31 extension that meets the minimum standards established by the department pursuant to RSA  
32 189:66 shall be deemed to be compliant with RSA 189:66 without regard to the district's data and  
33 privacy governance plan.

34 IV. The commissioner of education may waive or modify, as appropriate to accommodate a  
35 temporary remote instruction and support environment, the following educational, assessment,  
36 reporting, evaluation, and accountability requirements:

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1 (a) The assessment program set forth at RSA 193-C, relative to statewide educational  
2 improvement and assessment.

3 (b) The requirements set forth in RSA 193-E:3, relative to delivery of an adequate  
4 education.

5 (c) The requirements set forth in RSA 193-E:3-b, relative to accountability for the  
6 opportunity for an adequate education.

7 (d) The requirements set forth in RSA 193-E:3-c, relative to the performance-based  
8 accountability system.

9 (e) The requirements set forth in RSA 193-E:3-d, relative to the performance-based  
10 school accountability system and verification process.

11 (f) The requirements set forth in RSA 193-A:6, II and III, relative to home education  
12 records and evaluation.

13 (g) The performance measuring requirements of RSA 193-H, relative to school  
14 performance and accountability.

15 V. If a school district's budget is insufficient to fund expenditures associated with addressing  
16 the COVID-19 pandemic, the governing body is authorized, once authorization from the  
17 commissioner of education has been obtained, to make such expenditure to the extent other revenues  
18 or unrestricted funds are available to meet those expenses. The public hearing requirement under  
19 RSA 32:11, I, for the expenditure of money in excess of an appropriation due to an unusual  
20 circumstance related to the pandemic may be waived upon approval of the commissioner.

21 7 New Paragraph; Refunds to Private School Bus Owners. Amend RSA 260:52-b by inserting  
22 after paragraph II the following new paragraph:

23 III. Notwithstanding paragraph I, during any period of time in which public K-12 school  
24 districts have been, are, or will be required to maintain remote instruction and support, private  
25 school bus owners or school bus lines shall be entitled to a refund of any road tolls paid by them  
26 when their vehicles are being used to transport free and reduced lunch to students who are at home  
27 or another location during the school day by virtue of a contract or agreement with a municipality,  
28 municipal board, or school board authority to the extent that the amount of road tolls paid on motor  
29 fuel was used in these activities. Private school bus owners or school bus lines shall request  
30 reimbursements from the state consistent with the parameters and procedures provided in this  
31 section and RSA 260:47.

32 8 New Paragraph; School Bus Stop Signals and Strobe Lights. Amend RSA 266:39 by inserting  
33 after paragraph I the following new paragraph:

34 I-a. Notwithstanding paragraph I, in order to promote the safety of children receiving meals,  
35 supplies, or other materials from their school districts, a school bus may operate warning signals and  
36 stop the flow of traffic in order to safely deliver school food, supplies, or other materials to students  
37 when a school district temporarily transitions to a remote or hybrid method of instruction.

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1           9 New Section; Child Day Care Licensing; Remote Learning Center Verification Program.  
2 Amend RSA 170-E by inserting after section 4 the following new section:

3           170-E:4-a Remote Learning Center Verification Program.

4           I. In order to ensure that parents and legal guardians have alternative options to allow their  
5 children to participate in temporary remote instruction when a school district temporarily  
6 transitions to a remote or hybrid method of instruction, there is hereby established a remote  
7 learning center verification program. The department of health and human services shall  
8 administer this program within the child care licensing unit.

9           II. A remote learning center shall be defined as any person, corporation, partnership,  
10 voluntary association or other organization, either established for profit or otherwise, which provides  
11 a space for children in kindergarten through grade 12 to participate in remote instruction through a  
12 public or private elementary or secondary school system or institution of higher learning.

13           III. Verification forms shall be submitted to the department of health and human services in  
14 the manner specified by the department. The department of health and human services shall  
15 develop a standard form for verification of a remote learning center. At a minimum, this form shall  
16 include certification from the remote learning center that no individual working with any child or  
17 children:

18           (a) Has a criminal conviction for an offense involving causing or threatening direct  
19 physical injury to any individual;

20           (b) Has a criminal conviction for an offense involving causing or threatening harm of any  
21 nature to any child or children;

22           (c) Has a felony conviction in the previous 10 years;

23           (d) Is listed on the New Hampshire Registration of Criminal Offenders Website;

24           (e) Is listed on the National Sex Offender Public Website; or

25           (f) Is ineligible for employment pursuant to RSA 189:13-a, V.

26           IV. The requirements of this section shall not apply to the following, which shall not be  
27 considered remote learning centers:

28           (a) Daytime programs operated by a public or private elementary or secondary school  
29 system or institution of higher learning.

30           (b) Private homes in which the only children in care are:

31           (1) The provider's own children, children related to the provider, and children  
32 residing with the provider; or

33           (2) Children not related to the provider who are cared for or supervised for any part  
34 of the day for purposes of participation in remote instruction, provided that the provider does not  
35 receive compensation, beyond costs incurred, for the provision of such care or supervision.

36           (c) Learning arrangements outside a private home in which the only children in care are  
37 children of families to whom the provider is related or with whom the provider has a preexisting

1 relationship, provided that the provider does not receive compensation, beyond costs incurred, for  
2 the provision of such care or supervision.

3 (d) Municipal recreation programs.

4 (e) Any other program which the department of education considers to be an educational  
5 program under its existing rules and regulations.

6 V. Remote learning centers shall comply with the Universal Business Reopening Guidelines  
7 and any other industry-specific public health guidelines as determined by the department of health  
8 and human services.

9 VI. This section applies to remote learning centers only and does not replace a child care  
10 program's responsibility to obtain licensure if providing services requiring a license under this  
11 chapter.

12 VII. The division of public health shall have the authority to enforce paragraph V and the  
13 child care licensing unit shall have the authority to enforce all other provisions of this section.

14 10 New Paragraph; One-Year Certificate of Eligibility. Amend RSA 189:39-b by inserting after  
15 paragraph V the following new paragraph:

16 VI. Notwithstanding paragraph V, from August 13, 2020 through June 30, 2021, a school  
17 board, in consultation with the superintendent, may offer a one-year certificate of eligibility to an  
18 individual in accordance with paragraphs I-IV without regard to whether the individual has  
19 previously received a one-year certificate of eligibility. Any one-year certificate of eligibility issued  
20 pursuant to this paragraph shall be effective for one calendar year from the date of issuance.

21 11 New Section; Communicable Disease; Coverage for Services at Alternative Care Sites.  
22 Amend RSA 141-C by inserting after section 26 the following new section:

23 141-C:26-a Coverage for Services at Alternative Care Sites.

24 I. When hospitals across the state are implementing their emergency preparedness plans to  
25 treat patients in alternative care sites (ACS), or to transfer or divert patients to other hospitals  
26 based on current capacity, and in order to assure timely and appropriate reimbursement for services  
27 delivered in ACSs or provided to transferred or diverted patients, and to promote and secure the  
28 safety and protection of the people of New Hampshire, all health insurance carriers regulated by the  
29 insurance department, all health benefit plans authorized under RSA 5-B, and all Medicaid  
30 managed care organizations covering New Hampshire residents, are required to consider all  
31 medically necessary, covered ACS services, or services provided to transferred or diverted patients,  
32 as in-network and to reimburse such services at the in-network rate.

33 II. If the treating provider is out-of-network, reimbursement shall be made at the  
34 transferring or diverting provider's in-network rate. Providers who are out-of-network and  
35 reimbursed as in-network under this section shall not balance bill the member.

36 III. Acute care services being delivered at ACSs, including step-down facilities,  
37 rehabilitation hospitals, skilled nursing facilities, nursing facilities, ambulatory surgical centers,

1 schools, auditoriums, convention centers, and all similar environments, shall continue to be coded  
2 and reimbursed as acute care regardless of the non-traditional setting.

3 IV. All carriers shall ensure that rates of payment to providers for services delivered in  
4 nonstandard settings or as a result of a transfer or diversion of the patient pursuant to a hospital's  
5 emergency preparedness plan, are not lower than the rates of payment established by the carrier for  
6 such services delivered in the traditional setting, and shall notify providers of any information or  
7 instructions necessary to facilitate billing for such ACS services.

8 V. The department of health and human services shall, as necessary, provide assistance and  
9 guidance to Medicaid managed care organizations in the interpretation and implementation of this  
10 section.

11 VI. The insurance department shall provide further guidance to health carriers regulated by  
12 the department as necessary to effectuate the purposes of this section and shall be authorized to  
13 enforce this section as it affects such entities.

14 VII. This section does not apply to the transfer of patients for non-acute care services to a  
15 lower level of care setting, typical during a regular course of treatment.

16 12 New Section; Pharmacists and Pharmacies; Signature Not Required for Receipt or Delivery  
17 of Certain Prescriptions. Amend RSA 318 by inserting after section 47-l the following new section:

18 318:47-m Signature Not Required for Receipt or Delivery of Certain Prescriptions. Carriers and  
19 PBMs shall ensure that there are no signature requirements in place for in-person prescription  
20 receipts or in-home prescription deliveries, except when federal signature requirements for  
21 controlled substances exist.

22 13 New Section; Pharmacists and Pharmacies; Out-of-state Pharmacies as Temporary Limited  
23 Licensed Mail-Order Facilities. Amend RSA 318 by inserting after section 37 the following new  
24 section:

25 318:37-a Out-of-state Pharmacies as Temporary Limited Licensed Mail-Order Facilities.

26 I. To protect public health and increase access to medical care in New Hampshire, and to  
27 promote and secure the safety and protection of the people of New Hampshire, any out-of-state  
28 pharmacy seeking to ship investigational drugs to clinical trial participants who reside in New  
29 Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy  
30 due to the novel coronavirus shall be allowed to operate as if the out-of-state pharmacy were licensed  
31 as a mail-order pharmacy within the state of New Hampshire if the following conditions are met:

32 (a) The out-of-state pharmacy is licensed and in good standing in another United States  
33 jurisdiction.

34 (b) The medical services provided within New Hampshire are in-person or through  
35 appropriate forms of telehealth.

36 (c) The out-of-state pharmacy presents to the office of professional licensure and  
37 certification evidence that they are licensed in good standing in another jurisdiction. Such out-of-

1 state pharmacies shall be issued an emergency mail-order pharmacy license at no cost, which shall  
2 remain in effect until January 31, 2022.

3 (d) Such out-of-state pharmacies shall be subject to the jurisdiction of the board of  
4 pharmacy while acting under an emergency mail-order pharmacy license.

5 II. The office of professional licensure and certification, in consultation with the board of  
6 pharmacy, shall provide assistance and guidance, as necessary, to out-of-state pharmacies regarding  
7 the requirements of this section.

8 14 New Subparagraph; Communicable Disease; Ethics Committee; Membership. Amend RSA  
9 141-C:27, III by inserting after subparagraph (l) the following new subparagraph:

10 (m) Any additional member the commissioner deems necessary to achieve the  
11 committee's charge or objective, appointed by the commissioner.

12 15 New Subdivision; Local Land Use Planning; Protection of Pre-existing, Non-conforming Use  
13 Status for Summer Camps. Amend RSA 674 by inserting after section 73 the following new  
14 subdivision:

15 Protection of Pre-existing, Non-conforming Use Status for Summer Camps

16 674:74 Protection of Pre-existing, Non-conforming Use Status for Summer Camps.

17 I. Notwithstanding any provision of law or municipal ordinance or regulation to the  
18 contrary, any summer camp that has been operating in the state of New Hampshire as a pre-  
19 existing, nonconforming use under its applicable zoning ordinance that either closed for the summer  
20 of 2020 due to the COVID-19 pandemic, or was forced to operate for a shorter season or at a reduced  
21 capacity during the summer of 2020 due to the COVID-19 pandemic, shall not lose its status as a  
22 pre-existing, non-conforming use due to either:

23 (a) Its failure to operate during the summer of 2020; or

24 (b) Its operation for a shorter season or at a reduced capacity during the summer of  
25 2020.

26 II. The summer camp's status or ability to operate as a pre-existing, non-conforming use  
27 shall not be in any way affected by its failure to operate during the summer of 2020, or its operation  
28 for a shorter season or at a reduced capacity during the summer of 2020.

29 16 New Section; Division of Motor Vehicles; Powers and Duties. Amend RSA 260 by inserting  
30 after section 1 the following new section:

31 260:1-a Minimization of In-Person Contact During COVID-19 Pandemic. In order to protect the  
32 health and safety of state employees and the public from transmission of COVID-19, the director of  
33 the division motor vehicles is authorized to take any measures necessary to reduce in-person contact  
34 between state employees, locally authorized agents of the office of motor vehicles, and the public.  
35 The director is authorized to facilitate on-line transactions and remote services to the maximum  
36 extent practical.

1 17 New Paragraph; Drivers' Licenses; Driver Education; Temporary Waiver of Classroom  
2 Instruction and Observation. Amend RSA 263:19 by inserting after paragraph I the following new  
3 paragraph:

4 I-a. The requirements for in-person classroom instruction and observation required under  
5 paragraph I are temporarily suspended until January 31, 2022. Classroom instruction may be  
6 conducted remotely under the following conditions:

7 (a) The approved drivers' school shall create a plan to include procedures for  
8 participation for all students;

9 (b) The approved drivers' school may use a remote instruction platform that ensures  
10 verifiable attendance and participation;

11 (c) The approved drivers' school's remote instruction platform shall be broadcast to  
12 students by live webcast on specific days and times and shall be capable of receiving and responding  
13 to live questions by the students;

14 (d) The approved drivers' school's attendance record shall reflect students who  
15 participate remotely;

16 (e) Remote instruction shall be equivalent in effort and rigor to typical classroom work;  
17 and

18 (f) The approved drivers' school shall conduct an assessment of all student work for each  
19 class conducted remotely.

20 18 New Paragraph; Meetings Open to the Public; Remote Meetings. Amend RSA 91-A:2 by  
21 inserting after paragraph III the following new paragraph:

22 III-a The requirement that a quorum of a public body be physically present unless  
23 immediate action is imperative, and that each part of a meeting of a public body be audible or  
24 otherwise discernible to the public at the location specified in the meeting notice as the location of  
25 the meeting, is suspended until January 31, 2022 so long as the public body:

26 (a) Provides public access to the meeting by telephone, with additional access  
27 possibilities by video or other electronic means;

28 (b) Provides public notice of the necessary information for accessing the meeting;

29 (c) Provides a mechanism for the public to alert the public body during the meeting if  
30 there are problems with access; and

31 (d) Adjourns the meeting if the public is unable to access the meeting.

32 19 Department of Health and Human Services; General Provisions; Temporary Suspension of  
33 Wet Signature Requirement. Amend RSA 126-A:3 by inserting after paragraph VIII the following  
34 new paragraph:

35 IX. Any statute or administrative rule that requires a wet signature is temporarily  
36 suspended until the termination of the federal public health emergency initial declared pursuant to  
37 Public Health Service Act on January 31, 2020. After exhausting alternative means, the



1 commissioner of the department of health and human services may authorize the acceptance of  
2 verbal authorizations that are contemporaneously documented. The department shall create  
3 guidance on the process and acceptance of verbal authorizations.

4 20 Public Assistance; MEAD Program; Suspension of Premium. Amend RSA 167:6, IX to read  
5 as follows:

6 IX.(a) For purposes hereof, a person with a disability between 18 and 64 years of age who is  
7 eligible to participate in the work incentive program, known as Medicaid for employed adults with  
8 disabilities (MEAD), shall be eligible for medical assistance as medically needy or categorically  
9 needy. The department of health and human services shall establish a sliding fee scale for  
10 participants to contribute to the cost of such medical assistance. Participants in the MEAD program  
11 shall be employed at the time of enrollment, and may remain enrolled during temporary  
12 unemployment for medical reasons or other good cause.

13 (b) *The requirement in subparagraph (a), RSA 167:3-c, XII(c)-(d), and any rule*  
14 *adopted thereunder, that the department establish and collect premiums for the MEAD*  
15 *program is suspended until the termination of the federal public health emergency initial*  
16 *declared pursuant to Public Health Service Act on January 31, 2020.*

17 21 New Paragraph; Uniform Electronic Transactions Act; Acceptance and Distribution of  
18 Electronic Records by Governmental Agencies. Amend RSA 294-E:18 by inserting after paragraph  
19 III the following:

20 IV. Notwithstanding any provision of state law to the contrary, municipal and local  
21 governmental governing bodies may use RSA 41:29, I(a) to non-contemporaneously sign manifests  
22 outside a public meeting. This permission shall be extended to all public bodies, allowing them to  
23 sign manifests and all other documents necessary for the continued operations of local government.  
24 Municipal and local governmental bodies are relieved from the statutory requirements of this  
25 section. All local governmental agencies are hereby permitted to send and accept electronic  
26 signatures consistent with RSA 294-E and the Electronic Signatures in Global and National  
27 Commerce Act, Public Law 106-229.

28 22 New Paragraph; Municipal Finance Act; Procedure for Authorizing Bonds or Notes in Excess  
29 of \$100,000. Amend RSA 33:8-a by inserting after paragraph V the following new paragraph:

30 VI. Notwithstanding any other provision of law, municipalities that postpone their town  
31 meetings or elections shall not be required to repeat statutory hearings, including hearings on bonds  
32 over \$100,000, pursuant to this section.

33 23 New Section; Continuing Construction during COVID-19. Amend RSA 674 by inserting after  
34 section 51-a the following new section:

35 674:51-b Continuing Construction during COVID-19. In municipalities that have adopted an  
36 enforcement mechanism pursuant to RSA 674:51 and are not presently offering any building permits

1 and construction inspection functions as a result of COVID-19, contractors may follow these  
2 guidelines to keep construction progressing:

3 I. Complete typical paperwork related to the requested construction permit or building  
4 inspection. Permit applications with submittal documents shall be submitted to the building official  
5 by first class mail, drop box, if provided, or by electronic submission, such as email, where available.

6 II. Make and keep record of all reasonable attempts to communicate with municipal officials  
7 to determine the availability of services and follow instructions from municipal officials if typical or  
8 modified arrangements are offered.

9 III. If, as a result of exigent circumstances relating to COVID-19, a building official is  
10 unable to or refuses to issue any building construction or building systems permit pursuant to and  
11 within the time frame provided by RSA 676:13, III, the permit applicant or contractor may, 10 days  
12 after written notification to the building official, commence construction pursuant to the prepared  
13 project plans and documentations as if a proper building permit has been issued.

14 IV. The contractor may only proceed without a permit or approval with the prior written  
15 approval of the client. Written approval by the client shall be separate from the contractor's  
16 standard contract and shall state in at least 10 point bold font that the client understands that if  
17 they choose to proceed with the project, the contractor's plans will not be reviewed or pre-approved  
18 by a town building official. Written approval also shall specify whether the client can be charged for  
19 any remedial work necessary upon ultimate inspection.

20 V. If a construction inspection is refused or cannot be reasonably or timely offered within 5  
21 working days, the applicant or contractor may continue with construction work in accordance with  
22 issued permits after documenting completed work and materials using photographic and/or video  
23 methods to preserve evidence for subsequent review. Work should be left unconcealed and visible for  
24 later inspection to the greatest extent practicable. If photographic or video documentation does not  
25 show all necessary aspects of the inspection process needed to demonstrate code compliance, the  
26 building official may take all necessary actions to verify compliance with applicable codes.

27 VI. Once a municipality resumes operations, the applicant or contractor shall communicate  
28 with municipal officials to provide updates regarding the status of commenced or progressed  
29 construction and obtain after-the-fact inspections and/or documentation of the same.

30 VII. Proceeding with construction under paragraph III in the absence of proper and  
31 customary building permits and inspections shall be considered a practice of last resort to commence  
32 and keep New Hampshire construction projects, vital to the economy, active and progressing during  
33 these extraordinary times.

34 VIII. The contractor shall bear responsibility for arranging review of photographic and/or  
35 video evidence, and obtaining proper documentation of completion at such time as normal municipal  
36 inspection services resume. The contractor remains responsible and liable for meeting minimum  
37 code requirements of the building and fire codes, as adopted in New Hampshire. The contractor

1 further bears the risk that construction work must be altered or repaired after-the-fact to achieve  
2 code compliance. Nothing in this section prohibits the building official from taking all necessary  
3 actions to verify compliance with applicable codes.

4 IX. Municipal officials shall operate in good faith to administer these interim practices,  
5 however, no municipal official or municipality shall be liable to the contractor or any third party for  
6 any failure on the part of a contractor to comply with these provisions or the failure to construct  
7 pursuant to applicable codes.

8 24 New Section; Swearing in of Officers; Temporary Procedure. Amend RSA 42 by inserting  
9 after section 3 the following new section:

10 42:3-a Swearing in of Officers; Procedure Through January 2022.

11 I. The requirement that the business meeting must conclude before newly elected officers  
12 and officials can assume office under RSA 42:3 is suspended through January 31, 2022. Municipal  
13 and local governmental bodies are permitted to swear-in newly elected officers and officials, and  
14 those individuals may assume office before the business meeting has concluded.

15 II. Municipal and local governmental bodies are permitted to administer oaths of office by  
16 electronic means. This is provided the following protocol is followed:

17 (a) The person giving the oath must know the person taking the oath or he/she must  
18 establish his/her identity.

19 (b) If both the person taking the oath and the person receiving the oath has the  
20 capability, best practice is to use an audio/video service that will allow parties to see and hear one  
21 another. If a video interface is in use, the person showing a photo ID through the video can establish  
22 identity.

23 (c) If only telephone communication is practical, there shall be a witness present with  
24 the person taking the oath. The person receiving the oath shall obtain the name and address of the  
25 witness and receive a statement from the witness that: (i) the witness verifies the identity of the  
26 person taking the oath; and (ii) that the witness observed the oath taking. The person receiving the  
27 oath should document on the oath form the name and address of the witness. The witness can be a  
28 family member, co-worker, caregiver, or any other person.

29 (d) The person taking the oath shall document on the oath form, or on paper attached to  
30 the oath form, that the oath was taken virtually or by phone. If an authorized official other than the  
31 clerk takes the oath, the person taking the oath shall deliver the completed oath form to the clerk for  
32 town/district records.

33 (e) The official giving the oath shall instruct the person taking the oath that he or she  
34 must come to the clerk's office and affirm the oath taking by signing the oath form, at the point in  
35 the future when doing so is appropriate.

36 (f) The clerk shall notify the chair of the board or commission that the person taking the  
37 oath was elected to, that the oath has been taken and the person has assumed office.

1       25 Social Distancing Policies and Practices. Municipal or local governmental bodies are  
2 permitted to transition to phone, online, and limited appointment-only services to allow for proper  
3 social distancing as defined by the Center for Disease Control. This includes, but is not limited to,  
4 vital records requests and applications, as well as applications for welfare and other municipal  
5 services.

6       26 Repeal. The following are repealed:

7           I. RSA 326-B:14-a, relative to temporary health partners.

8           II. RSA 310-A:1-h, relative to emergency licensing procedures.

9           III. RSA 189:1-f, relative to COVID-19 temporary emergency remote or hybrid learning.

10          IV. RSA 260:52-b, III relative to refunds to private bus owners.

11          V. RSA 266:39, I-a, relative to the use of school bus stop signals and strobe lights.

12          VI. RSA 170-E:4-a, relative to the remote learning center verification program.

13          VII. RSA 189:39-b, VI, relative one-year teaching certificate eligibility.

14          VIII. RSA 318:37-a, relative to out-of-state pharmacies temporarily licensed as mail-order  
15 facilities.

16          IX. RSA 260:1-a, relative to the division of motor vehicle's authority to minimize in-person  
17 contact.

18          X. RSA 263:19, I-a, relative to driver education requirements.

19          XI. RSA 91-A:2, III-a, relative to remote public meetings.

20          XII. RSA 126-A:3, IX, relative to wet signatures required by the department of health and  
21 human services.

22          XIII. RSA 294-E:18, IV, relative to the use of non-contemporaneously signed manifests and  
23 electronic signatures by local governing bodies.

24          XIV. RSA 33:8-a, VI, relative to hearings required to authorize bonds.

25          XV. RSA 674:51-b, relative to continuing construction during COVID-19.

26          XVI. RSA 42:3-a, relative to the swearing in of municipal officers.

27          XVII. Section 25 of this act, relative to the adoption of social distancing policies and  
28 practices by municipalities.

29       27 Effective Date.

30           I. Section 26 of this act shall take effect January 31, 2022.

31           II. The remainder of this act shall take effect upon its passage.

**SB 155-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

FISCAL IMPACT:  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,1(b))			

The Departments of Education, Health and Human Services, State, and the New Hampshire Municipal Association were contacted on February 4, 2021 and the Department of Health and Human Services was contacted again on February 5, 2021 for a fiscal note worksheet, which have not been supplied as of February 8, 2021.

**METHODOLOGY:**

This bill codifies various provisions related to emergency orders issued by the Governor in response to the COVID-19 pandemic.

The Office of Professional Licensure and Certification identified the following fiscal impacts for each of these proposed statutory provisions within the agency's scope of operation:

- Continuation of temporary health partners may affect LNA licensure and the number of applicants for LNA licensure but any related cost is indeterminable.
- Authorization of emergency licensing for medical providers will have an unknown fiscal impact but OPLC will expend funds to process license applications at no additional cost.
- Authorization of COVID-19 testing vaccination by pharmacists and pharmacy technicians had no reported related cost.

- Permitting out-of-state pharmacists to provide investigational drugs to clinical trial participants in New Hampshire and to be temporarily licensed as mail-order pharmacies had no reported related cost, but exempting licensure for mail order pharmacies until January 31, 2022 will have an indeterminable fiscal impact with no revenue received through license applications.
- Approximately \$26K will be saved by permitting board meetings to be conducted remotely through January 31, 2022.

The Department of Safety indicates there is no fiscal impact on Department operations from this legislation relating to their continuing duties.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification, Departments of Safety, Education, Health and Human Services, State, and New Hampshire Municipal Association

**SB 155-FN FISCAL NOTE  
AS INTRODUCED**

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

FISCAL IMPACT:  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,I(b))			

The Departments of Education and State were contacted on February 4, 2021 for a fiscal note worksheet, which have not been supplied as of March 5, 2021.

**METHODOLOGY:**

This bill codifies various provisions related to emergency orders issued by the Governor in response to the COVID-19 pandemic.

The Office of Professional Licensure and Certification identified the following fiscal impacts for each of these proposed statutory provisions within the agency's scope of operation:

- Continuation of temporary health partners may affect LNA licensure and the number of applicants for LNA licensure but any related cost is indeterminable.
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- Permitting out-of-state pharmacists to provide investigational drugs to clinical trial participants in New Hampshire and to be temporarily licensed as mail-order pharmacies had no reported related cost, but exempting licensure for mail order pharmacies until January 31, 2022 will have an indeterminable fiscal impact with no revenue received through license applications.
- Approximately \$26K will be saved by permitting board meetings to be conducted remotely through January 31, 2022.

The Department of Health and Human Services indicates the suspension of the collection of premiums for the MEAD program until the termination of the federal public health emergency initially declared pursuant to the Public Health Service Act on January 31, 2020 will result in an indeterminable fiscal impact dependent on how long the public health emergency continues. The Department estimates a loss of approximately \$7,000 in premiums revenue per month.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification, Departments of Health and Human Services,  
Education and State



SB 155-FN - AS AMENDED BY THE SENATE

03/18/2021 0774s

2021 SESSION

21-1080  
05/10

SENATE BILL ***155-FN***

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Executive Departments and Administration

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AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing and vaccination by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 due to COVID-19.
- VI. Establishes procedures to allow construction to continue during the pandemic.
- VII. Temporarily allows expanded outdoor dining.

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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 Twenty One*

AN ACT                   codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

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

1           1 New Section; Nurse Practice Act; Temporary Health Partner. Amend RSA 326-B by inserting  
2 after section 14 the following new section:

3           326-B:14-a Temporary Health Partner.

4           I. To address staffing shortages at long-term care facilities and meet the needs of some of  
5 New Hampshire's most vulnerable populations, the position of temporary health partner (THP) is  
6 hereby authorized to work in a skilled nursing facility, notwithstanding any provision of RSA 326-  
7 B:14, provided that:

8           (a) The THP completes training of no less than 8 hours, provided by a national  
9 association such as the American Health Care Association or by a New Hampshire educational  
10 program.

11           (b) THPs shall work under the supervision of an RN, APRN, or LPN, as is required of  
12 LNAs under RSA 326-B:14.

13           (c) The scope of work authorized to be performed by THPs is limited to the work set  
14 forth in this section and shall be performed in accordance with the resident care plan.

15           (d) The THP has demonstrated competency, as determined by the employing long-term  
16 care facility, prior to performing any of the activities set forth in this section.

17           II. Scope of work for a temporary health partner (THP):

18           (a) The THP is a temporary position limited to assist LNAs and nurses in their daily  
19 tasks. Each of these tasks shall not be performed without proper training and demonstrating  
20 competency in such tasks. The THP shall work under the direction and supervision of licensed  
21 nurses to assist nurses and LNAs to provide services set forth in each resident care plan. Before  
22 performing any tasks described in subparagraph (b), the THP shall have been trained and  
23 demonstrated competency to perform such tasks, and shall review and adhere to the resident care  
24 plan. The facility shall provide direction and oversight to the THP.

25           (b) After the employing facility ensures skill competency, the THP may perform any of  
26 the following activities:

27           (1) Nutrition and elimination assistance. Assist with elimination, including toileting  
28 and peri-care, and assist with routine ostomy care.

29           (2) Comfort care and end-of-life care. Assist with promoting comfort and sleep,  
30 assist with end-of-life care, and assist with physical care of body after death.

1 (3) Activities of daily living. Assist with bathing, oral care, denture care, grooming,  
2 shaving, nail care, and dressing and undressing.

3 (4) Infection control practices. Assist with hand hygiene, standard and  
4 transmission-based precautions, cleaning and disinfection, utilization of personal protective  
5 equipment (PPE).

6 (5) Positioning, moving, and restorative care. Assist with ambulation or walking  
7 and occupied bedmaking.

8 III. The position of THP shall not be considered a substitute for licensure as an LNA under  
9 RSA 326-B:14 but is intended to assist the work of LNAs. The THP shall not perform services  
10 independently and shall be supervised by licensed nurses at all times.

11 2. New Section; Office of Professional Licensure and Certification; Emergency Licensing Process.  
12 Amend RSA 310-A by inserting after section 1-g the following new section:

13 310-A:1-h Emergency Licensing Process. Notwithstanding any other law to the contrary, the  
14 office of professional licensure and certification may issue emergency licenses to the following  
15 applicants:

16 I. Any medical provider previously licensed in New Hampshire in the last 3 years whose  
17 license is no longer active, subject to the following:

18 (a) The medical provider's license was in good standing prior to being placed in inactive  
19 or lapsed status.

20 (b) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
21 required to complete continuing education as a condition precedent to reactivating their license  
22 pursuant to this section.

23 II. Any medical provider previously licensed to practice in another jurisdiction within the  
24 last 3 years whose license is no longer active, subject to the following:

25 (a) The medical provider's license was in good standing in another United States  
26 jurisdiction prior to being placed in inactive or lapsed status; and

27 (b) The medical provider presents evidence to the office of professional licensure and  
28 certification that the medical provider was licensed and in good standing immediately prior to the  
29 change in licensure status.

30 (c) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
31 required to complete continuing education as a condition precedent to receive an emergency license  
32 pursuant to this section.

33 III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation  
34 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the  
35 following:

36 (a) The fellow is American Board of Medical Specialties (ABMS) or American  
37 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

1 (b) The fellow is appointed to the medical staff at a sponsoring institution and will  
2 engage in practice consistent with the policies and procedures of the sponsoring institution and its  
3 participating sites.

4 (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual  
5 education time in any academic year.

6 (d) A fellow seeking to practice under this paragraph shall provide the office of  
7 professional licensure and certification with appropriate evidence that the required qualifications  
8 have been met.

9 IV. Senior nursing students, who are scheduled to graduate within 5 months from the date  
10 of application, from a board of nursing approved registered nursing or practical nursing program,  
11 subject to the following:

12 (a) The individual is employed by or providing health care services at the direction of, a  
13 licensed health care facility or a licensed health care provider.

14 (b) The individual is directly supervised while providing health care services.

15 (c) The health care services are being provided in response to the COVID-19 pandemic.

16 IV. Current and former military service members who have been assigned a military  
17 occupational specialty code of 68W (Army) or 4N0X1 (Air Force), with or without additional skill  
18 identifiers, and who, as part of their service in the military, have utilized their military occupational  
19 specialty within the last 3 years, may apply for a license as a nursing assistant in New Hampshire.

20 V. An individual licensed as an EMT-Basic, Advanced EMT, or Paramedic in any United  
21 States jurisdiction who presently holds a certification from the National Registry of Emergency  
22 Medical Technicians (NREMT), may apply for an emergency license as a licensed nursing assistant.

23 VI. Any provider seeking an emergency license under this section shall submit his or her  
24 request on a form adopted by the office of professional licensure and certification for such purpose.

25 VII. In this section, an applicant in good standing shall include medical providers who are  
26 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have  
27 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

28 VIII. Licenses issued pursuant to this section shall be on a temporary basis and shall expire  
29 on or before January 31, 2022.

30 IX. All individuals licensed under this section shall be subject to the jurisdiction of the state  
31 licensing body for that profession.

32 X. The office of professional licensure and certification may issue guidance relative to the  
33 emergency licensing process established in this section, which may include guidance concerning the  
34 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

35 3 Pharmacists and Pharmacies; Definition of the Practice of Pharmacy. Amend RSA 318:1, XIV  
36 to read as follows:

1           XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and  
2 shall include the interpretation and evaluation of prescription orders; the administration,  
3 compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug  
4 selection and drug-related device selection; drug evaluation; utilization or regimen review; the  
5 monitoring of drug therapy and use; medication therapy management in accordance with  
6 collaborative pharmacy practice agreements; the proper and safe storage and distribution of drugs  
7 and devices, and the proper maintenance of proper records; the responsibility of advising, when  
8 necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; *the*  
9 *initiating, ordering, administering, and analyzing of FDA approved Emergency Use*  
10 *Authorization SARS-CoV-2 (COVID-19) point-of-care diagnostic kits (COVID-19 tests or test*  
11 *kits) to detect SARS-CoV-2 or its antibodies, so long as the pharmacist has received the*  
12 *adequate education and training to do so;* and the offering or performing of these acts, services,  
13 operations, or transactions necessary in the conduct, operation, management, and control of  
14 pharmacy.

15           4 New Section; Pharmacists and Pharmacies; COVID-19 Testing. Amend RSA 318 by inserting  
16 after section 14-a the following new section:

17           318:14-b COVID-19 Testing. Pharmacists may administer COVID-19 testing if the following  
18 conditions are met:

19           I. The pharmacist received adequate education and training to initiate, order, administer,  
20 and analyze COVID-19 test kits.

21           II. The COVID-19 tests are administered at a pharmacy that holds the appropriate clinical  
22 laboratory improvement amendments (CLIA) certificate and a New Hampshire laboratory license  
23 issued by the department of health and human services (DHHS) or DHHS waiver.

24           III. The pharmacy creates and implements policies and procedures to address the collection,  
25 storage, transport, and analysis of samples collected as a result of administering and analyzing  
26 COVID-19 test kits. Such policies and procedures shall be in accordance with the manufacturer's  
27 instructions and supplemented as needed.

28           5 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of COVID-  
29 19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

30           318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire  
31 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 18  
32 years of age or older while under the supervision of a New Hampshire licensed pharmacist, if the  
33 following conditions are met:

34           I. The vaccination is ordered by the supervising pharmacist.

35           II. The supervising pharmacist is readily and immediately available to the immunizing  
36 registered or certified pharmacy technician.

37           III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.

1 IV. The COVID-19 vaccine is ordered and administered according to the Advisory  
2 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.

3 V. The registered or certified pharmacy technician has completed a practical training  
4 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training  
5 program shall include hands-on injection technique and the recognition and treatment of emergency  
6 reactions to vaccines.

7 VI. The registered or certified pharmacy technician has a current certificate in basic  
8 cardiopulmonary resuscitation.

9 VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of  
10 ACPE-approved, immunization-related continuing pharmacy education during the relevant state  
11 licensing period.

12 VIII. The supervising pharmacist shall comply with all recordkeeping and reporting  
13 requirements.

14 IX. The supervising pharmacist shall be responsible for complying with requirements  
15 related to reporting adverse events.

16 X. The supervising pharmacist shall review the vaccine registry or other vaccination records  
17 before ordering the registered or certified pharmacy technician to administer the vaccination.

18 XI. The supervising pharmacist shall comply with any applicable requirements or conditions  
19 of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal  
20 requirements that apply to the administration of COVID-19 vaccine.

21 6 New Section; Pharmacists and Pharmacies; Out-of-state Pharmacies as Temporary Limited  
22 Licensed Mail-Order Facilities. Amend RSA 318 by inserting after section 37 the following new  
23 section:

24 318:37-a Out-of-state Pharmacies as Temporary Limited Licensed Mail-Order Facilities.

25 I. To protect public health and increase access to medical care in New Hampshire, and to  
26 promote and secure the safety and protection of the people of New Hampshire, any out-of-state  
27 pharmacy seeking to ship investigational drugs to clinical trial participants who reside in New  
28 Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy  
29 due to the novel coronavirus shall be allowed to operate as if the out-of-state pharmacy were licensed  
30 as a mail-order pharmacy within the state of New Hampshire if the following conditions are met:

31 (a) The out-of-state pharmacy is licensed and in good standing in another United States  
32 jurisdiction.

33 (b) The medical services provided within New Hampshire are in-person or through  
34 appropriate forms of telehealth.

35 (c) The out-of-state pharmacy presents to the office of professional licensure and  
36 certification evidence that they are licensed in good standing in another jurisdiction. Such out-of-

1 state pharmacies shall be issued an emergency mail-order pharmacy license at no cost, which shall  
2 remain in effect until January 31, 2022.

3 (d) Such out-of-state pharmacies shall be subject to the jurisdiction of the board of  
4 pharmacy while acting under an emergency mail-order pharmacy license.

5 II. The office of professional licensure and certification, in consultation with the board of  
6 pharmacy, shall provide assistance and guidance, as necessary, to out-of-state pharmacies regarding  
7 the requirements of this section.

8 7 New Subdivision; Local Land Use Planning; Protection of Pre-existing, Non-conforming Use  
9 Status for Summer Camps. Amend RSA 674 by inserting after section 73 the following new  
10 subdivision:

11 Protection of Pre-existing, Non-conforming Use Status for Summer Camps

12 674:74 Protection of Pre-existing, Non-conforming Use Status for Summer Camps.

13 I. Notwithstanding any provision of law or municipal ordinance or regulation to the  
14 contrary, any summer camp that has been operating in the state of New Hampshire as a pre-  
15 existing, nonconforming use under its applicable zoning ordinance that either closed for the summer  
16 of 2020 due to the COVID-19 pandemic, or was forced to operate for a shorter season or at a reduced  
17 capacity during the summer of 2020 due to the COVID-19 pandemic, shall not lose its status as a  
18 pre-existing, non-conforming use due to either:

19 (a) Its failure to operate during the summer of 2020; or

20 (b) Its operation for a shorter season or at a reduced capacity during the summer of  
21 2020.

22 II. The summer camp's status or ability to operate as a pre-existing, non-conforming use  
23 shall not be in any way affected by its failure to operate during the summer of 2020, or its operation  
24 for a shorter season or at a reduced capacity during the summer of 2020.

25 8 New Section; Continuing Construction During COVID-19. Amend RSA 674 by inserting after  
26 section 51-a the following new section:

27 674:51-b Continuing Construction During COVID-19. In municipalities that have adopted an  
28 enforcement mechanism pursuant to RSA 674:51 and are not presently offering any building permits  
29 and construction inspection functions as a result of COIVD-19, contractors may follow these  
30 guidelines to keep construction progressing:

31 I. Complete typical paperwork related to the requested construction permit or building  
32 inspection. Permit applications with submittal documents shall be submitted to the building official  
33 by first class mail, drop box, if provided, or by electronic submission, such as email, where available.

34 II. Make and keep record of all reasonable attempts to communicate with municipal officials  
35 to determine the availability of services and follow instructions from municipal officials if typical or  
36 modified arrangements are offered.

1           III. If, as a result of exigent circumstances relating to COVID-19, a building official is  
2 unable to or refuses to issue any building construction or building systems permit pursuant to and  
3 within the time frame provided by RSA 676:13, III, the permit applicant or contractor may, 10 days  
4 after written notification to the building official, commence construction pursuant to the prepared  
5 project plans and documentations as if a proper building permit has been issued.

6           IV. The contractor may only proceed without a permit or approval with the prior written  
7 approval of the client. Written approval by the client shall be separate from the contractor's  
8 standard contract and shall state in at least 10 point bold font that the client understands that if  
9 they choose to proceed with the project, the contractor's plans will not be reviewed or pre-approved  
10 by a town building official. Written approval also shall specify whether the client can be charged for  
11 any remedial work necessary upon ultimate inspection.

12           V. If a construction inspection is refused or cannot be reasonably or timely offered within 5  
13 working days, the applicant or contractor may continue with construction work in accordance with  
14 issued permits after documenting completed work and materials using photographic and/or video  
15 methods to preserve evidence for subsequent review. Work should be left unconcealed and visible for  
16 later inspection to the greatest extent practicable. If photographic or video documentation does not  
17 show all necessary aspects of the inspection process needed to demonstrate code compliance, the  
18 building official may take all necessary actions to verify compliance with applicable codes.

19           VI. Once a municipality resumes operations, the applicant or contractor shall communicate  
20 with municipal officials to provide updates regarding the status of commenced or progressed  
21 construction and obtain after-the-fact inspections and/or documentation of the same.

22           VII. Proceeding with construction under paragraph III in the absence of proper and  
23 customary building permits and inspections shall be considered a practice of last resort to commence  
24 and keep New Hampshire construction projects, vital to the economy, active and progressing during  
25 these extraordinary times.

26           VIII. The contractor shall bear responsibility for arranging review of photographic and/or  
27 video evidence, and obtaining proper documentation of completion at such time as normal municipal  
28 inspection services resume. The contractor remains responsible and liable for meeting minimum  
29 code requirements of the building and fire codes, as adopted in New Hampshire. The contractor  
30 further bears the risk that construction work must be altered or repaired after-the-fact to achieve  
31 code compliance. Nothing in this section prohibits the building official from taking all necessary  
32 actions to verify compliance with applicable codes.

33           IX. Municipal officials shall operate in good faith to administer these interim practices,  
34 however, no municipal official or municipality shall be liable to the contractor or any third party for  
35 any failure on the part of a contractor to comply with these provisions or the failure to construct  
36 pursuant to applicable codes.



1           9 New Section; Liquor Licenses and Fees; Temporary Expansion of Outdoor Dining through  
2 2023. Amend RSA 178 by inserting after section 31 the following new section:

3           178:32 Temporary Expansion of Outdoor Dining through 2023.

4           I. Restaurants and other food service establishments licensed under RSA 143-A:4 shall be  
5 permitted to expand outside wherever an outdoor dining area can be set up safely, such as parking  
6 spaces close to entrances, sidewalks, existing patios, lawn areas, or other appropriate areas. The  
7 food service establishment shall be responsible for cleaning and disinfecting the outdoor dining area,  
8 pursuant to state and federal guidelines. The outdoor dining area shall be clearly delineated and  
9 distanced from the general public. If expansion is in a shared space, such as a sidewalk or street,  
10 the restaurant shall be required to coordinate and seek approval from local authorities.

11           II. Authorization to serve alcohol in the temporary outdoor dining area shall be limited to  
12 food service establishments with on-premises beverage and wine or on-premises beverage and liquor  
13 licenses issued under this chapter.

14           III. The state liquor commission shall promulgate such rules under RSA 541-A, as may be  
15 needed to implement this section.

16           IV. In order to minimize persons entering into restaurants or off-sale licensees, the  
17 commission shall amend administrative rule Liq404.04 (d) to permit the curbside delivery of retail  
18 beer and table wine by off-sale licensees to persons meeting the requirements of RSA 179:5 with  
19 acknowledgment that after 2023 this provision reverts back to its existing form.

20           10 Prospective Repeals. The following are repealed:

21           I. RSA 310-A:1-h, relative to emergency licensing procedures.

22           II. RSA 318:37-a, relative to out-of-state pharmacies temporarily licensed as mail-order  
23 facilities.

24           III. RSA 178:32, relative to temporary expansion of outdoor dining.

25           11 Effective Date.

26           I. Paragraphs I and II of section 10 of this act shall take effect January 31, 2022.

27           II. Paragraph III of section 10 of this act shall take effect December 31, 2023.

28           III. The remainder of this act shall take effect upon its passage.

**SB 155-FN- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2021-0774s)

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	Indeterminable	Indeterminable	Indeterminable	Indeterminable
<b>Expenditures</b>	Indeterminable	Indeterminable	Indeterminable	Indeterminable
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,I(b)), Liquor Fund			

**METHODOLOGY:**

This bill codifies various provisions related to emergency orders issued by the Governor in response to the COVID-19 pandemic.

The Office of Professional Licensure and Certification identified the following fiscal impacts for each of these proposed statutory provisions within the agency's scope of operation:

- Continuation of temporary health partners may affect LNA licensure and the number of applicants for LNA licensure but any related cost is indeterminable.
- Authorization of emergency licensing for medical providers will have an unknown fiscal impact but OPLC will expend funds to process license applications at no additional cost.
- Authorization of COVID-19 testing vaccination by pharmacists and pharmacy technicians had no reported related cost.
- Permitting out-of-state pharmacists to provide investigational drugs to clinical trial participants in New Hampshire and to be temporarily licensed as mail-order pharmacies had no reported related cost, but exempting licensure for mail order pharmacies until January 31, 2022 will have an indeterminable fiscal impact with no revenue received through license applications.

The New Hampshire Liquor Commission states the provisions relative to the temporary expansion of outdoor dining through 2023 will result in an indeterminable number of eligible licensees implementing such expansion and the Commission is therefore unable to determine the amount of time and resources that will be needed to accommodate these changes.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification, Departments of Education and State, and Liquor Commission

SB 155-FN - AS AMENDED BY THE HOUSE

03/18/2021 0774s  
3Jun2021... 1646h

2021 SESSION

21-1080  
05/10

SENATE BILL ***155-FN***

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Executive Departments and Administration

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AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 or 2021 due to COVID-19.
- VI. Allows expanded outdoor dining.

---

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.

SB 155-FN - AS AMENDED BY THE HOUSE

03/18/2021 0774s  
3Jun2021... 1646h

21-1080  
05/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                   codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

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

1           1 Temporary Health Partner Authorized in Skilled Nursing Facilities under Federal and State  
2   Waivers.

3           I. In this section, "temporary health partner" means an individual who has been hired  
4   pursuant to federal and state waivers of certain qualifications for long-term care facility staff.

5           II. To address staffing shortages at long-term care facilities and meet the needs of some of  
6   New Hampshire's most vulnerable populations, the position of temporary health partner (THP) is  
7   hereby authorized to work in a skilled nursing facility, notwithstanding any provision of RSA 326-  
8   B:14, provided that:

9           (a) The THP completes training of no less than 8 hours, provided by a national  
10   association such as the American Health Care Association or by a New Hampshire educational  
11   program.

12           (b) THPs shall work under the supervision of an RN, APRN, or LPN, as is required of  
13   LNAs under RSA 326-B:14.

14           (c) The scope of work authorized to be performed by THPs is limited to the work set  
15   forth in this section and shall be performed in accordance with the resident care plan.

16           (d) The THP has demonstrated competency, as determined by the employing long-term  
17   care facility, prior to performing any of the activities set forth in this section.

18           III. Scope of work for a temporary health partner (THP):

19           (a) The THP is a temporary position limited to assist LNAs and nurses in their daily  
20   tasks. Each of these tasks shall not be performed without proper training and demonstrating  
21   competency in such tasks. The THP shall work under the direction and supervision of licensed  
22   nurses to assist nurses and LNAs to provide services set forth in each resident care plan. Before  
23   performing any tasks described in subparagraph (b), the THP shall have been trained and  
24   demonstrated competency to perform such tasks, and shall review and adhere to the resident care  
25   plan. The facility shall provide direction and oversight to the THP.

26           (b) After the employing facility ensures skill competency, the THP may perform any of  
27   the following activities:

28           (1) Nutrition and elimination assistance. Assist with elimination, including toileting  
29   and peri-care, and assist with routine ostomy care.

SB 155-FN - AS AMENDED BY THE HOUSE

- Page 2 -

1 (2) Comfort care and end-of-life care. Assist with promoting comfort and sleep,  
2 assist with end-of-life care, and assist with physical care of body after death.

3 (3) Activities of daily living. Assist with bathing, oral care, denture care, grooming,  
4 shaving, nail care, and dressing and undressing.

5 (4) Infection control practices. Assist with hand hygiene, standard and  
6 transmission-based precautions, cleaning and disinfection, utilization of personal protective  
7 equipment (PPE).

8 (5) Positioning, moving, and restorative care. Assist with ambulation or walking  
9 and occupied bedmaking.

10 III. The position of THP shall not be considered a substitute for licensure as an LNA under  
11 RSA 326-B:14 but is intended to assist the work of LNAs. The THP shall not perform services  
12 independently and shall be supervised by licensed nurses at all times.

13 2 New Section; Office of Professional Licensure and Certification; Emergency Licensing Process.  
14 Amend RSA 310-A by inserting after section 1-g the following new section:

15 310-A:1-h Emergency Licensing Process. Notwithstanding any other law to the contrary, the  
16 office of professional licensure and certification may issue emergency licenses to the following  
17 applicants:

18 I. Any medical provider previously licensed in New Hampshire in the last 3 years whose  
19 license is no longer active, subject to the following:

20 (a) The medical provider's license was in good standing prior to being placed in inactive  
21 or lapsed status.

22 (b) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
23 required to complete continuing education as a condition precedent to reactivating their license  
24 pursuant to this section.

25 II. Any medical provider previously licensed to practice in another jurisdiction within the  
26 last 3 years whose license is no longer active, subject to the following:

27 (a) The medical provider's license was in good standing in another United States  
28 jurisdiction prior to being placed in inactive or lapsed status; and

29 (b) The medical provider presents evidence to the office of professional licensure and  
30 certification that the medical provider was licensed and in good standing immediately prior to the  
31 change in licensure status.

32 (c) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
33 required to complete continuing education as a condition precedent to receive an emergency license  
34 pursuant to this section.

35 III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation  
36 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the  
37 following:

1 (a) The fellow is American Board of Medical Specialties (ABMS) or American  
2 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

3 (b) The fellow is appointed to the medical staff at a sponsoring institution and will  
4 engage in practice consistent with the policies and procedures of the sponsoring institution and its  
5 participating sites.

6 (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual  
7 education time in any academic year.

8 (d) A fellow seeking to practice under this paragraph shall provide the office of  
9 professional licensure and certification with appropriate evidence that the required qualifications  
10 have been met.

11 IV. Senior nursing students, who are scheduled to graduate within 5 months from the date  
12 of application, from a board of nursing approved registered nursing or practical nursing program,  
13 subject to the following:

14 (a) The individual is employed by or providing health care services at the direction of, a  
15 licensed health care facility or a licensed health care provider.

16 (b) The individual is directly supervised while providing health care services.

17 (c) The health care services are being provided in response to the COVID-19 pandemic.

18 V. Any provider seeking an emergency license under this section shall submit his or her  
19 request on a form adopted by the office of professional licensure and certification for such purpose.

20 VI. In this section, an applicant in good standing shall include medical providers who are  
21 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have  
22 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

23 VII. Licenses issued pursuant to this section shall be on a temporary basis and shall expire  
24 on or before January 31, 2022.

25 VIII. All individuals licensed under this section shall be subject to the jurisdiction of the  
26 state licensing body for that profession.

27 IX. The office of professional licensure and certification may issue guidance relative to the  
28 emergency licensing process established in this section, which may include guidance concerning the  
29 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

30 3 Pharmacists and Pharmacies; Definition of the Practice of Pharmacy. Amend RSA 318:1, XIV  
31 to read as follows:

32 XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and  
33 shall include the interpretation and evaluation of prescription orders; the administration,  
34 compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug  
35 selection and drug-related device selection; drug evaluation; utilization or regimen review; the  
36 monitoring of drug therapy and use; medication therapy management in accordance with  
37 collaborative pharmacy practice agreements; the proper and safe storage and distribution of drugs

1 and devices, and the proper maintenance of proper records; the responsibility of advising, when  
2 necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; *the*  
3 *initiating, ordering, administering, and analyzing of FDA approved Emergency Use*  
4 *Authorization SARS-CoV-2 (COVID-19) point-of-care diagnostic kits (COVID-19 tests or test*  
5 *kits) to detect SARS-CoV-2 or its antibodies, so long as the pharmacist has received the*  
6 *adequate education and training to do so; and the offering or performing of these acts, services,*  
7 operations, or transactions necessary in the conduct, operation, management, and control of  
8 pharmacy.

9 4 New Section; Pharmacists and Pharmacies; COVID-19 Testing. Amend RSA 318 by inserting  
10 after section 14-a the following new section:

11 318:14-b COVID-19 Testing. Pharmacists may administer COVID-19 testing if the following  
12 conditions are met:

13 I. The pharmacist received adequate education and training to initiate, order, administer,  
14 and analyze COVID-19 test kits.

15 II. The COVID-19 tests are administered at a pharmacy that holds the appropriate clinical  
16 laboratory improvement amendments (CLIA) certificate and a New Hampshire laboratory license  
17 issued by the department of health and human services (DHHS) or DHHS waiver.

18 III. The pharmacy creates and implements policies and procedures to address the collection,  
19 storage, transport, and analysis of samples collected as a result of administering and analyzing  
20 COVID-19 test kits. Such policies and procedures shall be in accordance with the manufacturer's  
21 instructions and supplemented as needed.

22 5 New Section; Pharmacists and Pharmacies; Out-of-state Pharmacies as Temporary Limited  
23 Licensed Mail-Order Facilities. Amend RSA 318 by inserting after section 37 the following new  
24 section:

25 318:37-a Out-of-state Pharmacies as Temporary Limited Licensed Mail-Order Facilities.

26 I. To protect public health and increase access to medical care in New Hampshire, and to  
27 promote and secure the safety and protection of the people of New Hampshire, any out-of-state  
28 pharmacy seeking to ship investigational drugs to clinical trial participants who reside in New  
29 Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy  
30 due to the novel coronavirus shall be allowed to operate as if the out-of-state pharmacy were licensed  
31 as a mail-order pharmacy within the state of New Hampshire if the following conditions are met:

32 (a) The out-of-state pharmacy is licensed and in good standing in another United States  
33 jurisdiction.

34 (b) The medical services provided within New Hampshire are in-person or through  
35 appropriate forms of telehealth.

36 (c) The out-of-state pharmacy presents to the office of professional licensure and  
37 certification evidence that they are licensed in good standing in another jurisdiction. Such out-of-



1 state pharmacies shall be issued an emergency mail-order pharmacy license at no cost, which shall  
2 remain in effect until January 31, 2022.

3 (d) Such out-of-state pharmacies shall be subject to the jurisdiction of the board of  
4 pharmacy while acting under an emergency mail-order pharmacy license.

5 II. The office of professional licensure and certification, in consultation with the board of  
6 pharmacy, shall provide assistance and guidance, as necessary, to out-of-state pharmacies regarding  
7 the requirements of this section.

8 6 New Subdivision; Local Land Use Planning; Protection of Pre-existing, Non-conforming Use  
9 Status for Summer Camps. Amend RSA 674 by inserting after section 73 the following new  
10 subdivision:

11 Protection of Pre-existing, Non-conforming Use Status for Summer Camps

12 674:74 Protection of Pre-existing, Non-conforming Use Status for Summer Camps.

13 I. Notwithstanding any provision of law or municipal ordinance or regulation to the  
14 contrary, any summer camp that has been operating in the state of New Hampshire as a pre-  
15 existing, nonconforming use under its applicable zoning ordinance that either closed for the summer  
16 of 2020 and/or 2021 due to the COVID-19 pandemic, or was forced to operate for a shorter season or  
17 at a reduced capacity during the summer of 2020 and/or 2021 due to the COVID-19 pandemic, shall  
18 not lose its status as a pre-existing, non-conforming use due to either:

19 (a) Its failure to operate during the summer of 2020 and/or 2021; or

20 (b) Its operation for a shorter season or at a reduced capacity during the summer of 2020  
21 and/or 2021.

22 II. The summer camp's status or ability to operate as a pre-existing, non-conforming use  
23 shall not be in any way affected by its failure to operate during the summer of 2020 and/or 2021, or  
24 its operation for a shorter season or at a reduced capacity during the summer of 2020 and/or 2021.

25 7 Liquor Licenses and Fees; Authorization for Other Areas; Expansion of Outdoor Dining.  
26 Amend RSA 178:24 to read as follows:

27 178:24 Authorization for Other Areas. A business holding a license authorizing the  
28 consumption of alcoholic beverages on its licensed premise may petition the commission for  
29 permission to extend service for beverages and liquor to any clearly defined area under the control of  
30 the licensee. *In addition, a licensee may expand into a shared space, such as a sidewalk or*  
31 *street, with the approval of local officials.* Petitions shall include written plans and diagrams  
32 that shall provide detailed information on the proposed extension of alcohol service. Petitions shall  
33 also conform to local zoning requirements and include the written approval of local officials.  
34 *Businesses served by a waste disposal system, as defined by RSA 485-A:2, XI, shall obtain*  
35 *approval from the department of environmental services for any expansion under this*  
36 *section. Businesses that are on municipal sewer may expand seating as permitted by the*  
37 *municipality.* The commission may approve plans submitted by licensees and may add such terms

1 and conditions as it deems appropriate to preserve public health and safety. The commission may  
2 deny, in its discretion, any petition under this section which constitutes a risk to public health,  
3 safety, or welfare of any community.

4 8 Prospective Repeals. The following are repealed:

5 I. RSA 310-A:1-h, relative to emergency licensing procedures.

6 II. RSA 318:37-a, relative to out-of-state pharmacies temporarily licensed as mail-order  
7 facilities.

8 9 Effective Date.

9 I. Paragraphs I and II of section 8 of this act shall take effect January 31, 2022.

10 II. The remainder of this act shall take effect upon its passage.

**SB 155-FN- FISCAL NOTE**  
 AS AMENDED BY THE SENATE (AMENDMENT #2021-0774s)

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	Indeterminable	Indeterminable	Indeterminable	Indeterminable
<b>Expenditures</b>	Indeterminable	Indeterminable	Indeterminable	Indeterminable
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Office of Professional Licensure and Certification Fund (RSA 310-A:1-e,I(b)); Liquor Fund			

**METHODOLOGY:**

This bill codifies various provisions related to emergency orders issued by the Governor in response to the COVID-19 pandemic.

The Office of Professional Licensure and Certification identified the following fiscal impacts for each of these proposed statutory provisions within the agency's scope of operation:

- Continuation of temporary health partners may affect LNA licensure and the number of applicants for LNA licensure but any related cost is indeterminable.
- Authorization of emergency licensing for medical providers will have an unknown fiscal impact but OPLC will expend funds to process license applications at no additional cost.
- Authorization of COVID-19 testing vaccination by pharmacists and pharmacy technicians had no reported related cost.
- Permitting out-of-state pharmacists to provide investigational drugs to clinical trial participants in New Hampshire and to be temporarily licensed as mail-order pharmacies had no reported related cost, but exempting licensure for mail order pharmacies until January 31, 2022 will have an indeterminable fiscal impact with no revenue received through license applications.

The New Hampshire Liquor Commission states the provisions relative to the temporary expansion of outdoor dining through 2023 will result in an indeterminable number of eligible licensees implementing such expansion and the Commission is therefore unable to determine the amount of time and resources that will be needed to accommodate these changes.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification, Departments of Education and State, and Liquor Commission

CHAPTER 121  
SB 155-FN - FINAL VERSION

03/18/2021 0774s  
3Jun2021... 1646h  
06/24/2021 1994CofC  
06/24/2021 2049EBA

2021 SESSION

21-1080  
05/10

SENATE BILL *155-FN*

AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Executive Departments and Administration

---

AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 or 2021 due to COVID-19.
- VI. Allows expanded outdoor dining.
- VII. Provides for the continued temporary licensure of healthcare workers through the office of professional licensure and certification.
- VIII. Authorizes pharmacy technicians to administer COVID-19 vaccines.

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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.

CHAPTER 121  
SB 155-FN - FINAL VERSION

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                   codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

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

1           121:1 Temporary Health Partner Authorized in Skilled Nursing Facilities under Federal and  
2 State Waivers.

3           I. In this section, "temporary health partner" means an individual who has been hired  
4 pursuant to federal and state waivers of certain qualifications for long-term care facility staff.

5           II. To address staffing shortages at long-term care facilities and meet the needs of some of  
6 New Hampshire's most vulnerable populations, the position of temporary health partner (THP) is  
7 hereby authorized to work in a skilled nursing facility, notwithstanding any provision of RSA 326-  
8 B:14, provided that:

9                   (a) The THP completes training of no less than 8 hours, provided by a national  
10 association such as the American Health Care Association or by a New Hampshire educational  
11 program.

12                   (b) THPs shall work under the supervision of an RN, APRN, or LPN, as is required of  
13 LNAs under RSA 326-B:14.

14                   (c) The scope of work authorized to be performed by THPs is limited to the work set  
15 forth in this section and shall be performed in accordance with the resident care plan.

16                   (d) The THP has demonstrated competency, as determined by the employing long-term  
17 care facility, prior to performing any of the activities set forth in this section.

18           III. Scope of work for a temporary health partner (THP):

19                   (a) The THP is a temporary position limited to assist LNAs and nurses in their daily  
20 tasks. Each of these tasks shall not be performed without proper training and demonstrating  
21 competency in such tasks. The THP shall work under the direction and supervision of licensed  
22 nurses to assist nurses and LNAs to provide services set forth in each resident care plan. Before  
23 performing any tasks described in subparagraph (b), the THP shall have been trained and  
24 demonstrated competency to perform such tasks, and shall review and adhere to the resident care  
25 plan. The facility shall provide direction and oversight to the THP.

26                   (b) After the employing facility ensures skill competency, the THP may perform any of  
27 the following activities:

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1                   (1) Nutrition and elimination assistance. Assist with elimination, including toileting  
2 and peri-care, and assist with routine ostomy care.

3                   (2) Comfort care and end-of-life care. Assist with promoting comfort and sleep,  
4 assist with end-of-life care, and assist with physical care of body after death.

5                   (3) Activities of daily living. Assist with bathing, oral care, denture care, grooming,  
6 shaving, nail care, and dressing and undressing.

7                   (4) Infection control practices. Assist with hand hygiene, standard and  
8 transmission-based precautions, cleaning and disinfection, utilization of personal protective  
9 equipment (PPE).

10                  (5) Positioning, moving, and restorative care. Assist with ambulation or walking  
11 and occupied bedmaking.

12                  III. The position of THP shall not be considered a substitute for licensure as an LNA under  
13 RSA 326-B:14 but is intended to assist the work of LNAs. The THP shall not perform services  
14 independently and shall be supervised by licensed nurses at all times.

15                  121:2 New Section; Office of Professional Licensure and Certification; Emergency Licensing  
16 Process. Amend RSA 310-A by inserting after section 1-h the following new section:

17                  310-A:1-i Emergency Licensing Process. Notwithstanding any other law to the contrary, the  
18 office of professional licensure and certification may issue emergency licenses to the following  
19 applicants:

20                  I. Any medical provider previously licensed in New Hampshire in the last 3 years whose  
21 license is no longer active, subject to the following:

22                   (a) The medical provider's license was in good standing prior to being placed in inactive  
23 or lapsed status.

24                   (b) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
25 required to complete continuing education as a condition precedent to reactivating their license  
26 pursuant to this section.

27                  II. Any medical provider previously licensed to practice in another jurisdiction within the  
28 last 3 years whose license is no longer active, subject to the following:

29                   (a) The medical provider's license was in good standing in another United States  
30 jurisdiction prior to being placed in inactive or lapsed status; and

31                   (b) The medical provider presents evidence to the office of professional licensure and  
32 certification that the medical provider was licensed and in good standing immediately prior to the  
33 change in licensure status.

34                   (c) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
35 required to complete continuing education as a condition precedent to receive an emergency license  
36 pursuant to this section.

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1           III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation  
2 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the  
3 following:

4           (a) The fellow is American Board of Medical Specialties (ABMS) or American  
5 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

6           (b) The fellow is appointed to the medical staff at a sponsoring institution and will  
7 engage in practice consistent with the policies and procedures of the sponsoring institution and its  
8 participating sites.

9           (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual  
10 education time in any academic year.

11           (d) A fellow seeking to practice under this paragraph shall provide the office of  
12 professional licensure and certification with appropriate evidence that the required qualifications  
13 have been met.

14           IV. Senior nursing students, who are scheduled to graduate within 5 months from the date  
15 of application, from a board of nursing approved registered nursing or practical nursing program,  
16 subject to the following:

17           (a) The individual is employed by or providing health care services at the direction of, a  
18 licensed health care facility or a licensed health care provider.

19           (b) The individual is directly supervised while providing health care services.

20           (c) The health care services are being provided in response to the COVID-19 pandemic.

21           V. Any provider seeking an emergency license under this section shall submit his or her  
22 request on a form adopted by the office of professional licensure and certification for such purpose.

23           VI. In this section, an applicant in good standing shall include medical providers who are  
24 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have  
25 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

26           VII. Licenses issued pursuant to this section shall be on a temporary basis and shall expire  
27 on or before January 31, 2022.

28           VIII. Emergency licenses issued during the COVID-19 pandemic pursuant to the governor's  
29 executive order 2020-04 shall not be deemed to have lapsed upon expiration of the state of  
30 emergency and shall be converted to a license under this section on the effective date of this section.  
31 This provision is intended to apply retroactively to extend the expiration date of all emergency  
32 licenses issued under executive order 2020-04 to January 31, 2022.

33           IX. All individuals licensed under this section shall be subject to the jurisdiction of the state  
34 licensing body for that profession.

35           X. The office of professional licensure and certification may issue guidance relative to the  
36 emergency licensing process established in this section, which may include guidance concerning the  
37 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.



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1 121:3 Pharmacists and Pharmacies; Definition of the Practice of Pharmacy. Amend RSA 318:1,  
2 XIV to read as follows:

3 XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and  
4 shall include the interpretation and evaluation of prescription orders; the administration,  
5 compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug  
6 selection and drug-related device selection; drug evaluation; utilization or regimen review; the  
7 monitoring of drug therapy and use; medication therapy management in accordance with  
8 collaborative pharmacy practice agreements; the proper and safe storage and distribution of drugs  
9 and devices, and the proper maintenance of proper records; the responsibility of advising, when  
10 necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; *the*  
11 *initiating, ordering, administering, and analyzing of FDA approved Emergency Use*  
12 *Authorization SARS-CoV-2 (COVID-19) point-of-care diagnostic kits (COVID-19 tests or test*  
13 *kits) to detect SARS-CoV-2 or its antibodies, so long as the pharmacist has received the*  
14 *adequate education and training to do so; and the offering or performing of these acts, services,*  
15 *operations, or transactions necessary in the conduct, operation, management, and control of*  
16 *pharmacy.*

17 121:4 New Section; Pharmacists and Pharmacies; COVID-19 Testing. Amend RSA 318 by  
18 inserting after section 14-a the following new section:

19 318:14-b COVID-19 Testing. Pharmacists may administer COVID-19 testing if the following  
20 conditions are met:

21 I. The pharmacist received adequate education and training to initiate, order, administer,  
22 and analyze COVID-19 test kits.

23 II. The COVID-19 tests are administered at a pharmacy that holds the appropriate clinical  
24 certificate under the Clinical Laboratory Improvement Amendments of 1988 (CLIA) and a New  
25 Hampshire laboratory license issued by the department of health and human services (DHHS) or  
26 DHHS waiver.

27 III. The pharmacy creates and implements policies and procedures to address the collection,  
28 storage, transport, and analysis of samples collected as a result of administering and analyzing  
29 COVID-19 test kits. Such policies and procedures shall be in accordance with the manufacturer's  
30 instructions and supplemented as needed.

31 121:5 New Section; Pharmacists and Pharmacies; Out-of-state Pharmacies as Temporary  
32 Limited Licensed Mail-Order Facilities. Amend RSA 318 by inserting after section 37 the following  
33 new section:

34 318:37-a Out-of-state Pharmacies as Temporary Limited Licensed Mail-Order Facilities.

35 I. To protect public health and increase access to medical care in New Hampshire, and to  
36 promote and secure the safety and protection of the people of New Hampshire, any out-of-state  
37 pharmacy seeking to ship investigational drugs to clinical trial participants who reside in New

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1 Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy  
2 due to the novel coronavirus shall be allowed to operate as if the out-of-state pharmacy were licensed  
3 as a mail-order pharmacy within the state of New Hampshire if the following conditions are met:

4 (a) The out-of-state pharmacy is licensed and in good standing in another United States  
5 jurisdiction.

6 (b) The medical services provided within New Hampshire are in-person or through  
7 appropriate forms of telehealth.

8 (c) The out-of-state pharmacy presents to the office of professional licensure and  
9 certification evidence that they are licensed in good standing in another jurisdiction. Such out-of-  
10 state pharmacies shall be issued an emergency mail-order pharmacy license at no cost, which shall  
11 remain in effect until January 31, 2022.

12 (d) Such out-of-state pharmacies shall be subject to the jurisdiction of the board of  
13 pharmacy while acting under an emergency mail-order pharmacy license.

14 II. The office of professional licensure and certification, in consultation with the board of  
15 pharmacy, shall provide assistance and guidance, as necessary, to out-of-state pharmacies regarding  
16 the requirements of this section.

17 121:6 New Subdivision; Local Land Use Planning; Protection of Pre-existing, Non-conforming  
18 Use Status for Summer Camps. Amend RSA 674 by inserting after section 73 the following new  
19 subdivision:

20 Protection of Pre-existing, Non-conforming Use Status for Summer Camps

21 674:74 Protection of Pre-existing, Non-conforming Use Status for Summer Camps.

22 I. Notwithstanding any provision of law or municipal ordinance or regulation to the  
23 contrary, any summer camp that has been operating in the state of New Hampshire as a pre-  
24 existing, nonconforming use under its applicable zoning ordinance that either closed for the summer  
25 of 2020 and/or 2021 due to the COVID-19 pandemic, or was forced to operate for a shorter season or  
26 at a reduced capacity during the summer of 2020 and/or 2021 due to the COVID-19 pandemic, shall  
27 not lose its status as a pre-existing, non-conforming use due to either:

28 (a) Its failure to operate during the summer of 2020 and/or 2021; or

29 (b) Its operation for a shorter season or at a reduced capacity during the summer of 2020  
30 and/or 2021.

31 II. The summer camp's status or ability to operate as a pre-existing, non-conforming use  
32 shall not be in any way affected by its failure to operate during the summer of 2020 and/or 2021, or  
33 its operation for a shorter season or at a reduced capacity during the summer of 2020 and/or 2021.

34 121:7 Liquor Licenses and Fees; Authorization for Other Areas; Expansion of Outdoor Dining.  
35 Amend RSA 178:24 to read as follows:

36 178:24 Authorization for Other Areas. A business holding a license authorizing the  
37 consumption of alcoholic beverages on its licensed premise may petition the commission for

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1 permission to extend service for beverages and liquor to any clearly defined area under the control of  
2 the licensee. *In addition, a licensee may expand into a shared space, such as a sidewalk or*  
3 *street, with the approval of local officials.* Petitions shall include written plans and diagrams  
4 that shall provide detailed information on the proposed extension of alcohol service. Petitions shall  
5 also conform to local zoning requirements and include the written approval of local officials.  
6 *Businesses served by a waste disposal system, as defined by RSA 485-A:2, XI, shall obtain*  
7 *approval from the department of environmental services for any expansion under this*  
8 *section, unless the total number of seats remains the same or is reduced. Businesses that*  
9 *are on municipal sewer may expand seating as permitted by the municipality.* The  
10 commission may approve plans submitted by licensees and may add such terms and conditions as it  
11 deems appropriate to preserve public health and safety. The commission may deny, in its discretion,  
12 any petition under this section which constitutes a risk to public health, safety, or welfare of any  
13 community.

14 121:8 Emergency or Temporary Healthcare Licensees. Healthcare workers issued emergency or  
15 temporary licenses during the COVID-19 pandemic, including but not limited to those recruited for  
16 youth camps, organized recreation, and community-sponsored recreation, and who meet the  
17 requirements for such licensure, shall be allowed to continue in their professional capacity for so  
18 long as the emergency or temporary license remains valid. The office of professional licensure and  
19 certification shall continue to offer and issue emergency or temporary licenses for healthcare  
20 workers; provided that any emergency or temporary licenses issued during the COVID-19 pandemic  
21 or in response to conditions occurring immediately thereafter shall expire no later than January 31,  
22 2022.

23 121:9 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of  
24 COVID-19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

25 318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire  
26 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 18  
27 years of age or older while under the supervision of a New Hampshire licensed pharmacist, if the  
28 following conditions are met:

29 I. The vaccination is ordered by the supervising pharmacist.

30 II. The supervising pharmacist is readily and immediately available to the immunizing  
31 registered or certified pharmacy technician.

32 III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.

33 IV. The COVID-19 vaccine is ordered and administered according to the Advisory  
34 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.

35 V. The registered or certified pharmacy technician has completed a practical training  
36 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training

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1 program shall include hands-on injection technique and the recognition and treatment of emergency  
2 reactions to vaccines.

3 VI. The registered or certified pharmacy technician has a current certificate in basic  
4 cardiopulmonary resuscitation.

5 VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of  
6 ACPE-approved, immunization-related continuing pharmacy education during the relevant state  
7 licensing period.

8 VIII. The supervising pharmacist shall comply with all recordkeeping and reporting  
9 requirements.

10 IX. The supervising pharmacist shall be responsible for complying with requirements  
11 related to reporting adverse events.

12 X. The supervising pharmacist shall review the vaccine registry or other vaccination records  
13 before ordering the registered or certified pharmacy technician to administer the vaccination.

14 XI. The supervising pharmacist shall comply with any applicable requirements or conditions  
15 of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal  
16 requirements that apply to the administration of COVID-19 vaccine.

17 121:10 Prospective Repeals. The following are repealed:

18 I. RSA 310-A:1-i, relative to emergency licensing procedures.

19 II. RSA 318:37-a, relative to out-of-state pharmacies temporarily licensed as mail-order  
20 facilities.

21 121:11 Effective Date.

22 I. Section 10 of this act shall take effect January 31, 2022.

23 II. The remainder of this act shall take effect upon its passage.

Approved: July 09, 2021

Effective Date:

I. Section 10 shall take effect January 31, 2022.

II. Remainder shall take effect July 9, 2021.

# Amendments

Amendment to SB 155-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 New Section; Nurse Practice Act; Temporary Health Partner. Amend RSA 326-B by inserting  
4 after section 14 the following new section:

5 326-B:14-a Temporary Health Partner.

6 I. To address staffing shortages at long-term care facilities and meet the needs of some of  
7 New Hampshire's most vulnerable populations, the position of temporary health partner (THP) is  
8 hereby authorized to work in a skilled nursing facility, notwithstanding any provision of RSA 326-  
9 B:14, provided that:

10 (a) The THP completes training of no less than 8 hours, provided by a national  
11 association such as the American Health Care Association or by a New Hampshire educational  
12 program.

13 (b) THPs shall work under the supervision of an RN, APRN, or LPN, as is required of  
14 LNAs under RSA 326-B:14.

15 (c) The scope of work authorized to be performed by THPs is limited to the work set  
16 forth in this section and shall be performed in accordance with the resident care plan.

17 (d) The THP has demonstrated competency, as determined by the employing long-term  
18 care facility, prior to performing any of the activities set forth in this section.

19 II. Scope of work for a temporary health partner (THP):

20 (a) The THP is a temporary position limited to assist LNAs and nurses in their daily  
21 tasks. Each of these tasks shall not be performed without proper training and demonstrating  
22 competency in such tasks. The THP shall work under the direction and supervision of licensed  
23 nurses to assist nurses and LNAs to provide services set forth in each resident care plan. Before  
24 performing any tasks described in subparagraph (b), the THP shall have been trained and  
25 demonstrated competency to perform such tasks, and shall review and adhere to the resident care  
26 plan. The facility shall provide direction and oversight to the THP.

27 (b) After the employing facility ensures skill competency, the THP may perform any of  
28 the following activities:

29 (1) Nutrition and elimination assistance. Assist with elimination, including toileting  
30 and peri-care, and assist with routine ostomy care.

31 (2) Comfort care and end-of-life care. Assist with promoting comfort and sleep,  
32 assist with end-of-life care, and assist with physical care of body after death.

1 (3) Activities of daily living. Assist with bathing, oral care, denture care, grooming,  
2 shaving, nail care, and dressing and undressing.

3 (4) Infection control practices. Assist with hand hygiene, standard and  
4 transmission-based precautions, cleaning and disinfection, utilization of personal protective  
5 equipment (PPE).

6 (5) Positioning, moving, and restorative care. Assist with ambulation or walking  
7 and occupied bedmaking.

8 III. The position of THP shall not be considered a substitute for licensure as an LNA under  
9 RSA 326-B:14 but is intended to assist the work of LNAs. The THP shall not perform services  
10 independently and shall be supervised by licensed nurses at all times.

11 2 New Section; Office of Professional Licensure and Certification; Emergency Licensing Process.  
12 Amend RSA 310-A by inserting after section 1-g the following new section:

13 310-A:1-h Emergency Licensing Process. Notwithstanding any other law to the contrary, the  
14 office of professional licensure and certification may issue emergency licenses to the following  
15 applicants:

16 I. Any medical provider previously licensed in New Hampshire in the last 3 years whose  
17 license is no longer active, subject to the following:

18 (a) The medical provider's license was in good standing prior to being placed in inactive  
19 or lapsed status.

20 (b) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
21 required to complete continuing education as a condition precedent to reactivating their license  
22 pursuant to this section.

23 II. Any medical provider previously licensed to practice in another jurisdiction within the  
24 last 3 years whose license is no longer active, subject to the following:

25 (a) The medical provider's license was in good standing in another United States  
26 jurisdiction prior to being placed in inactive or lapsed status; and

27 (b) The medical provider presents evidence to the office of professional licensure and  
28 certification that the medical provider was licensed and in good standing immediately prior to the  
29 change in licensure status.

30 (c) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
31 required to complete continuing education as a condition precedent to receive an emergency license  
32 pursuant to this section.

33 III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation  
34 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the  
35 following:

36 (a) The fellow is American Board of Medical Specialties (ABMS) or American  
37 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

1 (b) The fellow is appointed to the medical staff at a sponsoring institution and will  
2 engage in practice consistent with the policies and procedures of the sponsoring institution and its  
3 participating sites.

4 (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual  
5 education time in any academic year.

6 (d) A fellow seeking to practice under this paragraph shall provide the office of  
7 professional licensure and certification with appropriate evidence that the required qualifications  
8 have been met.

9 IV. Senior nursing students, who are scheduled to graduate within 5 months from the date  
10 of application, from a board of nursing approved registered nursing or practical nursing program,  
11 subject to the following:

12 (a) The individual is employed by or providing health care services at the direction of, a  
13 licensed health care facility or a licensed health care provider.

14 (b) The individual is directly supervised while providing health care services.

15 (c) The health care services are being provided in response to the COVID-19 pandemic.

16 IV. Current and former military service members who have been assigned a military  
17 occupational specialty code of 68W (Army) or 4N0X1 (Air Force), with or without additional skill  
18 identifiers, and who, as part of their service in the military, have utilized their military occupational  
19 specialty within the last 3 years, may apply for a license as a nursing assistant in New Hampshire.

20 V. An individual licensed as an EMT-Basic, Advanced EMT, or Paramedic in any United  
21 States jurisdiction who presently holds a certification from the National Registry of Emergency  
22 Medical Technicians (NREMT), may apply for an emergency license as a licensed nursing assistant.

23 VI. Any provider seeking an emergency license under this section shall submit his or her  
24 request on a form adopted by the office of professional licensure and certification for such purpose.

25 VII. In this section, an applicant in good standing shall include medical providers who are  
26 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have  
27 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

28 VIII. Licenses issued pursuant to this section shall be on a temporary basis and shall expire  
29 on or before January 31, 2022.

30 IX. All individuals licensed under this section shall be subject to the jurisdiction of the state  
31 licensing body for that profession.

32 X. The office of professional licensure and certification may issue guidance relative to the  
33 emergency licensing process established in this section, which may include guidance concerning the  
34 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

35 3 Pharmacists and Pharmacies; Definition of the Practice of Pharmacy. Amend RSA 318:1, XIV  
36 to read as follows:



1           XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and  
2 shall include the interpretation and evaluation of prescription orders; the administration,  
3 compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug  
4 selection and drug-related device selection; drug evaluation; utilization or regimen review; the  
5 monitoring of drug therapy and use; medication therapy management in accordance with  
6 collaborative pharmacy practice agreements; the proper and safe storage and distribution of drugs  
7 and devices, and the proper maintenance of proper records; the responsibility of advising, when  
8 necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; *the*  
9 *initiating, ordering, administering, and analyzing of FDA approved Emergency Use*  
10 *Authorization SARS-CoV-2 (COVID-19) point-of-care diagnostic kits, (COVID-19 tests or test*  
11 *kits) to detect SARS-CoV-2 or its antibodies, so long as the pharmacist has received the*  
12 *adequate education and training to do so;* and the offering or performing of these acts, services,  
13 operations, or transactions necessary in the conduct, operation, management, and control of  
14 pharmacy.

15           4 New Section; Pharmacists and Pharmacies; COVID-19 Testing. Amend RSA 318 by inserting  
16 after section 14-a the following new section:

17           318:14-b COVID-19 Testing. Pharmacists may administer COVID-19 testing if the following  
18 conditions are met:

19           I. The pharmacist received adequate education and training to initiate, order, administer,  
20 and analyze COVID-19 test kits.

21           II. The COVID-19 tests are administered at a pharmacy that holds the appropriate clinical  
22 laboratory improvement amendments (CLIA) certificate and a New Hampshire laboratory license  
23 issued by the department of health and human services (DHHS) or DHHS waiver.

24           III. The pharmacy creates and implements policies and procedures to address the collection,  
25 storage, transport, and analysis of samples collected as a result of administering and analyzing  
26 COVID-19 test kits. Such policies and procedures shall be in accordance with the manufacturer's  
27 instructions and supplemented as needed.

28           5 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of COVID-  
29 19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

30           318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire  
31 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 18  
32 years of age or older while under the supervision of a New Hampshire licensed pharmacist, if the  
33 following conditions are met:

34           I. The vaccination is ordered by the supervising pharmacist.

35           II. The supervising pharmacist is readily and immediately available to the immunizing  
36 registered or certified pharmacy technician.

37           III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.

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1 IV. The COVID-19 vaccine is ordered and administered according to the Advisory  
2 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.

3 V. The registered or certified pharmacy technician has completed a practical training  
4 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training  
5 program shall include hands-on injection technique and the recognition and treatment of emergency  
6 reactions to vaccines.

7 VI. The registered or certified pharmacy technician has a current certificate in basic  
8 cardiopulmonary resuscitation.

9 VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of  
10 ACPE-approved, immunization-related continuing pharmacy education during the relevant state  
11 licensing period.

12 VIII. The supervising pharmacist shall comply with all recordkeeping and reporting  
13 requirements.

14 IX. The supervising pharmacist shall be responsible for complying with requirements  
15 related to reporting adverse events.

16 X. The supervising pharmacist shall review the vaccine registry or other vaccination records  
17 before ordering the registered or certified pharmacy technician to administer the vaccination.

18 XI. The supervising pharmacist shall comply with any applicable requirements or conditions  
19 of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal  
20 requirements that apply to the administration of COVID-19 vaccine.

21 6 New Section; Pharmacists and Pharmacies; Out-of-state Pharmacies as Temporary Limited  
22 Licensed Mail-Order Facilities. Amend RSA 318 by inserting after section 37 the following new  
23 section:

24 318:37-a Out-of-state Pharmacies as Temporary Limited Licensed Mail-Order Facilities.

25 I. To protect public health and increase access to medical care in New Hampshire, and to  
26 promote and secure the safety and protection of the people of New Hampshire, any out-of-state  
27 pharmacy seeking to ship investigational drugs to clinical trial participants who reside in New  
28 Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy  
29 due to the novel coronavirus shall be allowed to operate as if the out-of-state pharmacy were licensed  
30 as a mail-order pharmacy within the state of New Hampshire if the following conditions are met:

31 (a) The out-of-state pharmacy is licensed and in good standing in another United States  
32 jurisdiction.

33 (b) The medical services provided within New Hampshire are in-person or through  
34 appropriate forms of telehealth.

35 (c) The out-of-state pharmacy presents to the office of professional licensure and  
36 certification evidence that they are licensed in good standing in another jurisdiction. Such out-of-

1 state pharmacies shall be issued an emergency mail-order pharmacy license at no cost, which shall  
2 remain in effect until January 31, 2022.

3 (d) Such out-of-state pharmacies shall be subject to the jurisdiction of the board of  
4 pharmacy while acting under an emergency mail-order pharmacy license.

5 II. The office of professional licensure and certification, in consultation with the board of  
6 pharmacy, shall provide assistance and guidance, as necessary, to out-of-state pharmacies regarding  
7 the requirements of this section.

8 7 New Section; COVID-19 Temporary Emergency Remote or Hybrid Learning. Amend RSA 189  
9 by inserting after section 1-e the following new section:

10 189:1-f COVID-19 Temporary Emergency Remote or Hybrid Learning.

11 I. The commissioner, with approval of the governor, may grant a request by a school facility  
12 or district to temporarily transition to a remote or hybrid method of instruction whenever it is  
13 necessary to mitigate the spread of COVID-19 due to substantial community transmission or  
14 transmission within a school facility. Each school facility or district granted permission to  
15 temporarily transition to a remote or hybrid method of instruction shall take any and all necessary  
16 steps to meet its obligation to provide a free and appropriate education to each of its students.

17 II. Notwithstanding a grant of permission to temporarily transition to a remote or hybrid  
18 method of instruction, the school district shall continue to comply with requirements under state and  
19 federal special education laws, including without limitation the Individuals with Disabilities  
20 Education Act and Section 504 of the Rehabilitation Act of 1973, in the delivery of instruction and  
21 support services pursuant to any offered instructional model, including without limitation,  
22 traditional instruction, distance learning, and hybrid models, consistent with United States  
23 Department of Education Guidance.

24 (a) In fulfilling its obligations pursuant to Ed 1100, et seq., a school district that  
25 provides instruction through a temporary remote or hybrid model for the district's general education  
26 population shall not exclude in-person services from consideration for students with disabilities. In-  
27 person services shall be provided if such services are necessitated by a student's individualized needs  
28 and are consistent with the health and safety needs of the child, the child's teachers, and the child's  
29 family.

30 (b) No later than June 30, 2021, every school district shall hold Individualized Education  
31 Plan ("IEP") team meetings, as set forth in RSA 186-C:7 and Ed 1107, to consider Extended-School  
32 Year ("ESY") services for each child with an IEP, regardless of whether the child been provided ESY  
33 services in the past.

34 (c) Notwithstanding a grant of permission to temporarily transition to a remote or  
35 hybrid method of instruction, every school district shall hold an IEP team meeting for each student  
36 identified for special education services no later than 30 calendar days after the first day of the  
37 school district's 2021-2022 school year. At the meeting, the IEP team shall consider what

1 compensatory education services, if any, are required to be provided to make up for services not  
2 provided during period of remote instruction and support, student regression, or a student's failure  
3 to make expected progress as indicated in the student's IEP.

4 (d) For any evaluation criteria described in Ed 1100, et seq., that cannot be satisfied  
5 because of a temporary shift to remote instruction and support, such as classroom evaluations, the  
6 school district shall:

7 (1) Include in its evaluation the reason the criterion was not considered; and

8 (2) Use best efforts to obtain the information the IEP team needs to determine  
9 eligibility and the services and supports the child needs to receive a free appropriate public  
10 education through other available criteria.

11 III. In order to facilitate uniformity across the state and to enable cooperation among and  
12 between school districts and the department of education in vetting new software applications,  
13 digital tools, and extensions for data privacy compliance, any software application, digital tool, or  
14 extension that meets the minimum standards established by the department pursuant to RSA  
15 189:66 shall be deemed to be compliant with RSA 189:66 without regard to the district's data and  
16 privacy governance plan.

17 IV. The commissioner of education may waive or modify, as appropriate to accommodate a  
18 temporary remote instruction and support environment, the following educational, assessment,  
19 reporting, evaluation, and accountability requirements:

20 (a) The assessment program set forth at RSA 193-C, relative to statewide educational  
21 improvement and assessment.

22 (b) The requirements set forth in RSA 193-E:3, relative to delivery of an adequate  
23 education.

24 (c) The requirements set forth in RSA 193-E:3-b, relative to accountability for the  
25 opportunity for an adequate education.

26 (d) The requirements set forth in RSA 193-E:3-c, relative to the performance-based  
27 accountability system.

28 (e) The requirements set forth in RSA 193-E:3-d, relative to the performance-based  
29 school accountability system and verification process.

30 (f) The requirements set forth in RSA 193-A:6, II and III, relative to home education  
31 records and evaluation.

32 (g) The performance measuring requirements of RSA 193-H, relative to school  
33 performance and accountability.

34 V. If a school district's budget is insufficient to fund expenditures associated with addressing  
35 the COVID-19 pandemic, the governing body is authorized, once authorization from the  
36 commissioner of education has been obtained, to make such expenditure to the extent other revenues  
37 or unrestricted funds are available to meet those expenses. The public hearing requirement under

1 RSA 32:11, I, for the expenditure of money in excess of an appropriation due to an unusual  
2 circumstance related to the pandemic may be waived upon approval of the commissioner.

3 8 New Subdivision; Local Land Use Planning; Protection of Pre-existing, Non-conforming Use  
4 Status for Summer Camps. Amend RSA 674 by inserting after section 73 the following new  
5 subdivision:

6 Protection of Pre-existing, Non-conforming Use Status for Summer Camps

7 674:74 Protection of Pre-existing, Non-conforming Use Status for Summer Camps.

8 I. Notwithstanding any provision of law or municipal ordinance or regulation to the  
9 contrary, any summer camp that has been operating in the state of New Hampshire as a pre-  
10 existing, nonconforming use under its applicable zoning ordinance that either closed for the summer  
11 of 2020 due to the COVID-19 pandemic, or was forced to operate for a shorter season or at a reduced  
12 capacity during the summer of 2020 due to the COVID-19 pandemic, shall not lose its status as a  
13 pre-existing, non-conforming use due to either:

14 (a) Its failure to operate during the summer of 2020; or

15 (b) Its operation for a shorter season or at a reduced capacity during the summer of  
16 2020.

17 II. The summer camp's status or ability to operate as a pre-existing, non-conforming use  
18 shall not be in any way affected by its failure to operate during the summer of 2020, or its operation  
19 for a shorter season or at a reduced capacity during the summer of 2020.

20 9 New Section; Continuing Construction During COVID-19. Amend RSA 674 by inserting after  
21 section 51-a the following new section:

22 674:51-b Continuing Construction During COVID-19. In municipalities that have adopted an  
23 enforcement mechanism pursuant to RSA 674:51 and are not presently offering any building permits  
24 and construction inspection functions as a result of COVID-19, contractors may follow these  
25 guidelines to keep construction progressing:

26 I. Complete typical paperwork related to the requested construction permit or building  
27 inspection. Permit applications with submittal documents shall be submitted to the building official  
28 by first class mail, drop box, if provided, or by electronic submission, such as email, where available.

29 II. Make and keep record of all reasonable attempts to communicate with municipal officials  
30 to determine the availability of services and follow instructions from municipal officials if typical or  
31 modified arrangements are offered.

32 III. If, as a result of exigent circumstances relating to COVID-19, a building official is  
33 unable to or refuses to issue any building construction or building systems permit pursuant to and  
34 within the time frame provided by RSA 676:13, III, the permit applicant or contractor may, 10 days  
35 after written notification to the building official, commence construction pursuant to the prepared  
36 project plans and documentations as if a proper building permit has been issued.

1 IV. The contractor may only proceed without a permit or approval with the prior written  
2 approval of the client. Written approval by the client shall be separate from the contractor's  
3 standard contract and shall state in at least 10 point bold font that the client understands that if  
4 they choose to proceed with the project, the contractor's plans will not be reviewed or pre-approved  
5 by a town building official. Written approval also shall specify whether the client can be charged for  
6 any remedial work necessary upon ultimate inspection.

7 V. If a construction inspection is refused or cannot be reasonably or timely offered within 5  
8 working days, the applicant or contractor may continue with construction work in accordance with  
9 issued permits after documenting completed work and materials using photographic and/or video  
10 methods to preserve evidence for subsequent review. Work should be left unconcealed and visible for  
11 later inspection to the greatest extent practicable. If photographic or video documentation does not  
12 show all necessary aspects of the inspection process needed to demonstrate code compliance, the  
13 building official may take all necessary actions to verify compliance with applicable codes.

14 VI. Once a municipality resumes operations, the applicant or contractor shall communicate  
15 with municipal officials to provide updates regarding the status of commenced or progressed  
16 construction and obtain after-the-fact inspections and/or documentation of the same.

17 VII. Proceeding with construction under paragraph III in the absence of proper and  
18 customary building permits and inspections shall be considered a practice of last resort to commence  
19 and keep New Hampshire construction projects, vital to the economy, active and progressing during  
20 these extraordinary times.

21 VIII. The contractor shall bear responsibility for arranging review of photographic and/or  
22 video evidence, and obtaining proper documentation of completion at such time as normal municipal  
23 inspection services resume. The contractor remains responsible and liable for meeting minimum  
24 code requirements of the building and fire codes, as adopted in New Hampshire. The contractor  
25 further bears the risk that construction work must be altered or repaired after-the-fact to achieve  
26 code compliance. Nothing in this section prohibits the building official from taking all necessary  
27 actions to verify compliance with applicable codes.

28 IX. Municipal officials shall operate in good faith to administer these interim practices,  
29 however, no municipal official or municipality shall be liable to the contractor or any third party for  
30 any failure on the part of a contractor to comply with these provisions or the failure to construct  
31 pursuant to applicable codes.

32 10 Repeal. The following are repealed:

33 I. RSA 310-A:1-h, relative to emergency licensing procedures.

34 II. RSA 318:37-a, relative to out-of-state pharmacies temporarily licensed as mail-order  
35 facilities.

36 11 Effective Date.

37 I. Section 10 of this act shall take effect January 31, 2022.

1 II. The remainder of this act shall take effect upon its passage.

UNAPPROVED

2021-0560s

AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing and vaccination by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Authorizes temporary emergency remote or hybrid learning in schools.
- VI. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 due to COVID-19.
- VII. Establishes procedures to allow construction to continue during the pandemic.

UNAPPROVED



Sen. Cavanaugh, Dist 16  
Rep. Lang, Belk. 4  
March 2, 2021  
2021-0581s  
05/06

Amendment to SB 155-FN

1 Amend the bill by replacing all after section 26 with the following:

2

3 27 New Section; Liquor Licenses and Fees; Temporary Expansion of Outdoor Dining through  
4 2023. Amend RSA 178 by inserting after section 31 the following new section:

5 178:32 Temporary Expansion of Outdoor Dining through 2023.

6 I. Restaurants and other food service establishments licensed under RSA 143-A:4 shall be  
7 permitted to expand outside wherever an outdoor dining area can be set up safely, such as parking  
8 spaces close to entrances, sidewalks, existing patios, lawn areas, or other appropriate areas. The  
9 food service establishment shall be responsible for cleaning and disinfecting the outdoor dining area,  
10 pursuant to state and federal guidelines. The outdoor dining area shall be clearly delineated and  
11 distanced from the general public. If expansion is in a shared space, such as a sidewalk or street,  
12 the restaurant shall be required to coordinate and seek approval from local authorities.

13 II. Authorization to serve alcohol in the temporary outdoor dining area shall be limited to  
14 food service establishments with on-premises beverage and wine or on-premises beverage and liquor  
15 licenses issued under this chapter.

16 III. The state liquor commission shall promulgate such rules under RSA 541-A, as may be  
17 needed to implement this section.

18 IV. In order to minimize persons entering into restaurants or off-sale licensees, the  
19 commission shall amend administrative rule Liq404.04 (d) to permit the curbside delivery of retail  
20 beer and table wine by off-sale licensees to persons meeting the requirements of RSA 179:5 with  
21 acknowledgment that after 2023 this provision reverts back to its existing form.

22 28 Repeal. RSA 178:32, relative to temporary expansion of outdoor dining, is repealed.

23 29 Effective Date.

24 I. Section 26 of this act shall take effect January 31, 2022.

25 II. Section 28 of this act shall take effect December 31, 2023.

26 III. The remainder of this act shall take effect upon its passage.

2021-0581s

AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing and vaccination by pharmacists and pharmacy technicians.
- IV. Authorizes temporary emergency remote or hybrid learning in schools.
- V. Provides reimbursement to private bus school bus owners delivering free and reduced price lunch services to students learning remotely.
- VI. Authorizes school bus operators to use warning signals when delivering food, supplies, and other materials to students learning remotely.
- VII. Establishes a remote learning verification program in the department of health and human services.
- VIII. Temporarily expands eligibility for one-year teaching certificates.
- IX. Addresses insurance coverage for medical services provided at alternative care sites.
- X. Waives signature requirements for receipt of certain prescriptions.
- XI. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- XII. Allows the commissioner of the department of health and human services to add additional members to the ethics committee under RSA 141-C.
- XIII. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 due to COVID-19.
- XIV. Authorizes the director of the division of motor vehicles to minimize in-person contact within the division.
- XV. Allows driver education programs to provide classroom instruction remotely.
- XVI. Temporarily suspends the physical presence and location requirements for a public meeting under RSA 91-A.
- XVII. Suspends certain signature requirements by the department of health and human services.
- XVIII. Suspends the collection of premiums for participation in the MEAD program.
- XIX. Allows for the acceptance and use of electronic records by local governing bodies.
- XX. Waives certain hearing requirements for municipalities that postponed town meetings or elections.

XXI. Establishes procedures to allow construction to continue during the pandemic.

XXII. Establishes temporary procedures for the swearing in of local officers and officials.

XXIII. Allows municipalities to adopt social distancing policies and practices.

XXIV. Authorizes a temporary expansion of outdoor dining areas.

UNAPPROVED

Amendment to SB 155-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 New Section; Nurse Practice Act; Temporary Health Partner. Amend RSA 326-B by inserting  
4 after section 14 the following new section:

5 326-B:14-a Temporary Health Partner.

6 I. To address staffing shortages at long-term care facilities and meet the needs of some of  
7 New Hampshire's most vulnerable populations, the position of temporary health partner (THP) is  
8 hereby authorized to work in a skilled nursing facility, notwithstanding any provision of RSA 326-  
9 B:14, provided that:

10 (a) The THP completes training of no less than 8 hours, provided by a national  
11 association such as the American Health Care Association or by a New Hampshire educational  
12 program.

13 (b) THPs shall work under the supervision of an RN, APRN, or LPN, as is required of  
14 LNAs under RSA 326-B:14.

15 (c) The scope of work authorized to be performed by THPs is limited to the work set  
16 forth in this section and shall be performed in accordance with the resident care plan.

17 (d) The THP has demonstrated competency, as determined by the employing long-term  
18 care facility, prior to performing any of the activities set forth in this section.

19 II. Scope of work for a temporary health partner (THP):

20 (a) The THP is a temporary position limited to assist LNAs and nurses in their daily  
21 tasks. Each of these tasks shall not be performed without proper training and demonstrating  
22 competency in such tasks. The THP shall work under the direction and supervision of licensed  
23 nurses to assist nurses and LNAs to provide services set forth in each resident care plan. Before  
24 performing any tasks described in subparagraph (b), the THP shall have been trained and  
25 demonstrated competency to perform such tasks, and shall review and adhere to the resident care  
26 plan. The facility shall provide direction and oversight to the THP.

27 (b) After the employing facility ensures skill competency, the THP may perform any of  
28 the following activities:

29 (1) Nutrition and elimination assistance. Assist with elimination, including toileting  
30 and peri-care, and assist with routine ostomy care.

31 (2) Comfort care and end-of-life care. Assist with promoting comfort and sleep,  
32 assist with end-of-life care, and assist with physical care of body after death.

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1 (3) Activities of daily living. Assist with bathing, oral care, denture care, grooming,  
2 shaving, nail care, and dressing and undressing.

3 (4) Infection control practices. Assist with hand hygiene, standard and  
4 transmission-based precautions, cleaning and disinfection, utilization of personal protective  
5 equipment (PPE).

6 (5) Positioning, moving, and restorative care. Assist with ambulation or walking  
7 and occupied bedmaking.

8 III. The position of THP shall not be considered a substitute for licensure as an LNA under  
9 RSA 326-B:14 but is intended to assist the work of LNAs. The THP shall not perform services  
10 independently and shall be supervised by licensed nurses at all times.

11 2 New Section; Office of Professional Licensure and Certification; Emergency Licensing Process.  
12 Amend RSA 310-A by inserting after section 1-g the following new section:

13 310-A:1-h Emergency Licensing Process. Notwithstanding any other law to the contrary, the  
14 office of professional licensure and certification may issue emergency licenses to the following  
15 applicants:

16 I. Any medical provider previously licensed in New Hampshire in the last 3 years whose  
17 license is no longer active, subject to the following:

18 (a) The medical provider's license was in good standing prior to being placed in inactive  
19 or lapsed status.

20 (b) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
21 required to complete continuing education as a condition precedent to reactivating their license  
22 pursuant to this section.

23 II. Any medical provider previously licensed to practice in another jurisdiction within the  
24 last 3 years whose license is no longer active, subject to the following:

25 (a) The medical provider's license was in good standing in another United States  
26 jurisdiction prior to being placed in inactive or lapsed status; and

27 (b) The medical provider presents evidence to the office of professional licensure and  
28 certification that the medical provider was licensed and in good standing immediately prior to the  
29 change in licensure status.

30 (c) Notwithstanding any law or rule to the contrary, a medical provider shall not be  
31 required to complete continuing education as a condition precedent to receive an emergency license  
32 pursuant to this section.

33 III. Any fellow enrolled in a New Hampshire program accredited by the Accreditation  
34 Council for Graduate Medical Education to practice within the fellow's core specialty, subject to the  
35 following:

36 (a) The fellow is American Board of Medical Specialties (ABMS) or American  
37 Osteopathic Association (AOA) board-eligible or certified in the core specialty.

1 (b) The fellow is appointed to the medical staff at a sponsoring institution and will  
2 engage in practice consistent with the policies and procedures of the sponsoring institution and its  
3 participating sites.

4 (c) The time spent in core specialty service is limited to 20 percent of the fellow's annual  
5 education time in any academic year.

6 (d) A fellow seeking to practice under this paragraph shall provide the office of  
7 professional licensure and certification with appropriate evidence that the required qualifications  
8 have been met.

9 IV. Senior nursing students, who are scheduled to graduate within 5 months from the date  
10 of application, from a board of nursing approved registered nursing or practical nursing program,  
11 subject to the following:

12 (a) The individual is employed by or providing health care services at the direction of, a  
13 licensed health care facility or a licensed health care provider.

14 (b) The individual is directly supervised while providing health care services.

15 (c) The health care services are being provided in response to the COVID-19 pandemic.

16 IV. Current and former military service members who have been assigned a military  
17 occupational specialty code of 68W (Army) or 4N0X1 (Air Force), with or without additional skill  
18 identifiers, and who, as part of their service in the military, have utilized their military occupational  
19 specialty within the last 3 years, may apply for a license as a nursing assistant in New Hampshire.

20 V. An individual licensed as an EMT-Basic, Advanced EMT, or Paramedic in any United  
21 States jurisdiction who presently holds a certification from the National Registry of Emergency  
22 Medical Technicians (NREMT), may apply for an emergency license as a licensed nursing assistant.

23 VI. Any provider seeking an emergency license under this section shall submit his or her  
24 request on a form adopted by the office of professional licensure and certification for such purpose.

25 VII. In this section, an applicant in good standing shall include medical providers who are  
26 subject to nondisciplinary conditions, but shall not include medical providers whose licenses have  
27 been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

28 VIII. Licenses issued pursuant to this section shall be on a temporary basis and shall expire  
29 on or before January 31, 2022.

30 IX. All individuals licensed under this section shall be subject to the jurisdiction of the state  
31 licensing body for that profession.

32 X. The office of professional licensure and certification may issue guidance relative to the  
33 emergency licensing process established in this section, which may include guidance concerning the  
34 appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

35 3 Pharmacists and Pharmacies; Definition of the Practice of Pharmacy. Amend RSA 318:1, XIV  
36 to read as follows:

1           XIV. "Practice of pharmacy" means the professional acts performed by a pharmacist and  
2 shall include the interpretation and evaluation of prescription orders; the administration,  
3 compounding, dispensing, labeling and distribution of drugs and devices; the participation in drug  
4 selection and drug-related device selection; drug evaluation; utilization or regimen review; the  
5 monitoring of drug therapy and use; medication therapy management in accordance with  
6 collaborative pharmacy practice agreements; the proper and safe storage and distribution of drugs  
7 and devices, and the proper maintenance of proper records; the responsibility of advising, when  
8 necessary or when regulated, of therapeutic values, hazards, and use of drugs and devices; *the*  
9 *initiating, ordering, administering, and analyzing of FDA approved Emergency Use*  
10 *Authorization SARS-CoV-2 (COVID-19) point-of-care diagnostic kits (COVID-19 tests or test*  
11 *kits) to detect SARS-CoV-2 or its antibodies, so long as the pharmacist has received the*  
12 *adequate education and training to do so;* and the offering or performing of these acts, services,  
13 operations, or transactions necessary in the conduct, operation, management, and control of  
14 pharmacy.

15           4 New Section; Pharmacists and Pharmacies; COVID-19 Testing. Amend RSA 318 by inserting  
16 after section 14-a the following new section:

17           318:14-b COVID-19 Testing. Pharmacists may administer COVID-19 testing if the following  
18 conditions are met:

19           I. The pharmacist received adequate education and training to initiate, order, administer,  
20 and analyze COVID-19 test kits.

21           II. The COVID-19 tests are administered at a pharmacy that holds the appropriate clinical  
22 laboratory improvement amendments (CLIA) certificate and a New Hampshire laboratory license  
23 issued by the department of health and human services (DHHS) or DHHS waiver.

24           III. The pharmacy creates and implements policies and procedures to address the collection,  
25 storage, transport, and analysis of samples collected as a result of administering and analyzing  
26 COVID-19 test kits. Such policies and procedures shall be in accordance with the manufacturer's  
27 instructions and supplemented as needed.

28           5 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of COVID-  
29 19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

30           318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire  
31 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 18  
32 years of age or older while under the supervision of a New Hampshire licensed pharmacist, if the  
33 following conditions are met:

34           I. The vaccination is ordered by the supervising pharmacist.

35           II. The supervising pharmacist is readily and immediately available to the immunizing  
36 registered or certified pharmacy technician.

37           III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.

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1           IV. The COVID-19 vaccine is ordered and administered according to the Advisory  
2 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.

3           V. The registered or certified pharmacy technician has completed a practical training  
4 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training  
5 program shall include hands-on injection technique and the recognition and treatment of emergency  
6 reactions to vaccines.

7           VI. The registered or certified pharmacy technician has a current certificate in basic  
8 cardiopulmonary resuscitation.

9           VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of  
10 ACPE-approved, immunization-related continuing pharmacy education during the relevant state  
11 licensing period.

12           VIII. The supervising pharmacist shall comply with all recordkeeping and reporting  
13 requirements.

14           IX. The supervising pharmacist shall be responsible for complying with requirements  
15 related to reporting adverse events.

16           X. The supervising pharmacist shall review the vaccine registry or other vaccination records  
17 before ordering the registered or certified pharmacy technician to administer the vaccination.

18           XI. The supervising pharmacist shall comply with any applicable requirements or conditions  
19 of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal  
20 requirements that apply to the administration of COVID-19 vaccine.

21           6 New Section; Pharmacists and Pharmacies; Out-of-state Pharmacies as Temporary Limited  
22 Licensed Mail-Order Facilities. Amend RSA 318 by inserting after section 37 the following new  
23 section:

24           318:37-a Out-of-state Pharmacies as Temporary Limited Licensed Mail-Order Facilities.

25           I. To protect public health and increase access to medical care in New Hampshire, and to  
26 promote and secure the safety and protection of the people of New Hampshire, any out-of-state  
27 pharmacy seeking to ship investigational drugs to clinical trial participants who reside in New  
28 Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy  
29 due to the novel coronavirus shall be allowed to operate as if the out-of-state pharmacy were licensed  
30 as a mail-order pharmacy within the state of New Hampshire if the following conditions are met:

31           (a) The out-of-state pharmacy is licensed and in good standing in another United States  
32 jurisdiction.

33           (b) The medical services provided within New Hampshire are in-person or through  
34 appropriate forms of telehealth.

35           (c) The out-of-state pharmacy presents to the office of professional licensure and  
36 certification evidence that they are licensed in good standing in another jurisdiction. Such out-of-



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1 state pharmacies shall be issued an emergency mail-order pharmacy license at no cost, which shall  
2 remain in effect until January 31, 2022.

3 (d) Such out-of-state pharmacies shall be subject to the jurisdiction of the board of  
4 pharmacy while acting under an emergency mail-order pharmacy license.

5 II. The office of professional licensure and certification, in consultation with the board of  
6 pharmacy, shall provide assistance and guidance, as necessary, to out-of-state pharmacies regarding  
7 the requirements of this section.

8 7 New Subdivision; Local Land Use Planning; Protection of Pre-existing, Non-conforming Use  
9 Status for Summer Camps. Amend RSA 674 by inserting after section 73 the following new  
10 subdivision:

11 Protection of Pre-existing, Non-conforming Use Status for Summer Camps

12 674:74 Protection of Pre-existing, Non-conforming Use Status for Summer Camps.

13 I. Notwithstanding any provision of law or municipal ordinance or regulation to the  
14 contrary, any summer camp that has been operating in the state of New Hampshire as a pre-  
15 existing, nonconforming use under its applicable zoning ordinance that either closed for the summer  
16 of 2020 due to the COVID-19 pandemic, or was forced to operate for a shorter season or at a reduced  
17 capacity during the summer of 2020 due to the COVID-19 pandemic, shall not lose its status as a  
18 pre-existing, non-conforming use due to either:

19 (a) Its failure to operate during the summer of 2020; or

20 (b) Its operation for a shorter season or at a reduced capacity during the summer of  
21 2020.

22 II. The summer camp's status or ability to operate as a pre-existing, non-conforming use  
23 shall not be in any way affected by its failure to operate during the summer of 2020, or its operation  
24 for a shorter season or at a reduced capacity during the summer of 2020.

25 8 New Section; Continuing Construction During COVID-19. Amend RSA 674 by inserting after  
26 section 51-a the following new section:

27 674:51-b Continuing Construction During COVID-19. In municipalities that have adopted an  
28 enforcement mechanism pursuant to RSA 674:51 and are not presently offering any building permits  
29 and construction inspection functions as a result of COVID-19, contractors may follow these  
30 guidelines to keep construction progressing:

31 I. Complete typical paperwork related to the requested construction permit or building  
32 inspection. Permit applications with submittal documents shall be submitted to the building official  
33 by first class mail, drop box, if provided, or by electronic submission, such as email, where available.

34 II. Make and keep record of all reasonable attempts to communicate with municipal officials  
35 to determine the availability of services and follow instructions from municipal officials if typical or  
36 modified arrangements are offered.

**Amendment to SB 155-FN**

**- Page 7 -**

1           III. If, as a result of exigent circumstances relating to COVID-19, a building official is  
2 unable to or refuses to issue any building construction or building systems permit pursuant to and  
3 within the time frame provided by RSA 676:13, III, the permit applicant or contractor may, 10 days  
4 after written notification to the building official, commence construction pursuant to the prepared  
5 project plans and documentations as if a proper building permit has been issued.

6           IV. The contractor may only proceed without a permit or approval with the prior written  
7 approval of the client. Written approval by the client shall be separate from the contractor's  
8 standard contract and shall state in at least 10 point bold font that the client understands that if  
9 they choose to proceed with the project, the contractor's plans will not be reviewed or pre-approved  
10 by a town building official. Written approval also shall specify whether the client can be charged for  
11 any remedial work necessary upon ultimate inspection.

12           V. If a construction inspection is refused or cannot be reasonably or timely offered within 5  
13 working days, the applicant or contractor may continue with construction work in accordance with  
14 issued permits after documenting completed work and materials using photographic and/or video  
15 methods to preserve evidence for subsequent review. Work should be left unconcealed and visible for  
16 later inspection to the greatest extent practicable. If photographic or video documentation does not  
17 show all necessary aspects of the inspection process needed to demonstrate code compliance, the  
18 building official may take all necessary actions to verify compliance with applicable codes.

19           VI. Once a municipality resumes operations, the applicant or contractor shall communicate  
20 with municipal officials to provide updates regarding the status of commenced or progressed  
21 construction and obtain after-the-fact inspections and/or documentation of the same.

22           VII. Proceeding with construction under paragraph III in the absence of proper and  
23 customary building permits and inspections shall be considered a practice of last resort to commence  
24 and keep New Hampshire construction projects, vital to the economy, active and progressing during  
25 these extraordinary times.

26           VIII. The contractor shall bear responsibility for arranging review of photographic and/or  
27 video evidence, and obtaining proper documentation of completion at such time as normal municipal  
28 inspection services resume. The contractor remains responsible and liable for meeting minimum  
29 code requirements of the building and fire codes, as adopted in New Hampshire. The contractor  
30 further bears the risk that construction work must be altered or repaired after-the-fact to achieve  
31 code compliance. Nothing in this section prohibits the building official from taking all necessary  
32 actions to verify compliance with applicable codes.

33           IX. Municipal officials shall operate in good faith to administer these interim practices,  
34 however, no municipal official or municipality shall be liable to the contractor or any third party for  
35 any failure on the part of a contractor to comply with these provisions or the failure to construct  
36 pursuant to applicable codes.

**Amendment to SB 155-FN**

**- Page 8 -**

1           9 New Section; Liquor Licenses and Fees; Temporary Expansion of Outdoor Dining through  
2 2023. Amend RSA 178 by inserting after section 31 the following new section:

3           178:32 Temporary Expansion of Outdoor Dining through 2023.

4           I. Restaurants and other food service establishments licensed under RSA 143-A:4 shall be  
5 permitted to expand outside wherever an outdoor dining area can be set up safely, such as parking  
6 spaces close to entrances, sidewalks, existing patios, lawn areas, or other appropriate areas. The  
7 food service establishment shall be responsible for cleaning and disinfecting the outdoor dining area,  
8 pursuant to state and federal guidelines. The outdoor dining area shall be clearly delineated and  
9 distanced from the general public. If expansion is in a shared space, such as a sidewalk or street,  
10 the restaurant shall be required to coordinate and seek approval from local authorities.

11           II. Authorization to serve alcohol in the temporary outdoor dining area shall be limited to  
12 food service establishments with on-premises beverage and wine or on-premises beverage and liquor  
13 licenses issued under this chapter.

14           III. The state liquor commission shall promulgate such rules under RSA 541-A, as may be  
15 needed to implement this section.

16           IV. In order to minimize persons entering into restaurants or off-sale licensees, the  
17 commission shall amend administrative rule Liq404.04 (d) to permit the curbside delivery of retail  
18 beer and table wine by off-sale licensees to persons meeting the requirements of RSA 179:5 with  
19 acknowledgment that after 2023 this provision reverts back to its existing form.

20           10 Prospective Repeals. The following are repealed:

21           I. RSA 310-A:1-h, relative to emergency licensing procedures.

22           II. RSA 318:37-a, relative to out-of-state pharmacies temporarily licensed as mail-order  
23 facilities.

24           III. RSA 178:32, relative to temporary expansion of outdoor dining.

25           11 Effective Date.

26           I. Paragraphs I and II of section 10 of this act shall take effect January 31, 2022.

27           II. Paragraph III of section 10 of this act shall take effect December 31, 2023.

28           III. The remainder of this act shall take effect upon its passage.

2021-0774s

AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing and vaccination by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 due to COVID-19.
- VI. Establishes procedures to allow construction to continue during the pandemic.
- VII. Temporarily allows expanded outdoor dining.

# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Executive Departments and Administration**

Sen Sharon Carson, Chair  
Sen John Reagan, Vice Chair  
Sen Denise Ricciardi, Member  
Sen Kevin Cavanaugh, Member  
Sen Suzanne Prentiss, Member

Date: February 11, 2021

**HEARINGS**

Wednesday	02/17/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.      SB 161-FN	relative to non-fraud overpayments for unemployment benefits.	
9:15 a.m.      SB 142-FN	adopting omnibus legislation relative to certain study commissions.	
9:45 a.m.      SB 143-FN	adopting omnibus legislation relative to certain agency requests.	
10:30 a.m.     SB 155-FN	codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.	

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/95478571640>
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: +13126266799,,95478571640# or +19292056099,,95478571640#
4. Webinar ID: [954 7857 1640](https://www.zoom.us/j/95478571640)
5. To view/listen to this hearing on YouTube, use this link:  
<https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:  
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

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

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**SB 161-FN**

Sen. Whitley

Rep. Schultz

**SB 142-FN**

Sen. Birdsell

**SB 143-FN**

Sen. Carson

**SB 155-FN**

Sen. Bradley

Sen. Perkins Kwoka

Rep. McWilliams

Sen. Rosenwald

Sen. Prentiss

Cameron Lapine 271-2104

Sharon M Carson  
Chairman

# Senate Executive Departments and Administration Committee

*Cameron Lapine 271-2104*

**SB 155-FN**, codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

**Hearing Date:** February 17, 2021

**Time Opened:** 11:33 a.m.

**Time Closed:** 12:22 p.m.

**Members of the Committee Present:** Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

**Members of the Committee Absent :** None

**Bill Analysis:** This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing and vaccination by pharmacists and pharmacy technicians.
- IV. Authorizes temporary emergency remote or hybrid learning in schools.
- V. Provides reimbursement to private bus school bus owners delivering free and reduced price lunch services to students learning remotely.
- VI. Authorizes school bus operators to use warning signals when delivering food, supplies, and other materials to students learning remotely.
- VII. Establishes a remote learning verification program in the department of health and human services.
- VIII. Temporarily expands eligibility for one-year teaching certificates.
- IX. Addresses insurance coverage for medical services provided at alternative care sites.
- X. Waives signature requirements for receipt of certain prescriptions.
- XI. Permits out-of-state pharmacies providing investigational drugs to



clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.

XII. Allows the commissioner of the department of health and human services to add additional members to the ethics committee under RSA 141-C.

XIII. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 due to COVID-19.

XIV. Authorizes the director of the division of motor vehicles to minimize in-person contact within the division.

XV. Allows driver education programs to provide classroom instruction remotely.

XVI. Temporarily suspends the physical presence and location requirements for a public meeting under RSA 91-A.

XVII. Suspends certain signature requirements by the department of health and human services.

XVIII. Suspends the collection of premiums for participation in the MEAD program.

XIX. Allows for the acceptance and use of electronic records by local governing bodies.

XX. Waives certain hearing requirements for municipalities that postponed town meetings or elections.

XXI. Establishes procedures to allow construction to continue during the pandemic.

XXII. Establishes temporary procedures for the swearing in of local officers and officials.

XXIII. Allows municipalities to adopt social distancing policies and practices.

**Sponsors:**  
Sen. Bradley

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**Who supports the bill:** Please refer to sign-in sheet.

**Who opposes the bill:** Please refer to sign-in sheet.

**Who is neutral on the bill:** Please refer to sign-in sheet.

### **Summary of testimony presented in support:**

#### **Senator Jeb Bradley**

##### **Senate District 3**

- Senator Bradley said that SB 155-FN was a request from Governor Sununu and was a late-introduction bill through the Rules Committee. He said that the intent is to codify some of the Governor's Emergency Orders.
- Senator Bradley pointed to Page 16, Line 6 and highlighted the repeals section of SB 155-FN. He said that some of the Executive Orders are only codified until January 31, 2022. He said that this gives the General Court an opportunity to consider the Emergency Orders and weigh in.
- Senator Cavanaugh asked about a provision on Page 5 of SB 155-FN.
  - Senator Bradley deferred questions to Lisa English from the Governor's Office.

#### **Lisa English**

##### **COVID-19 Advisor, Office of Governor Sununu**

- Ms. English said that SB 155-FN codifies selected emergency orders. She said that SB 155-FN is designed to provide New Hampshire with the ability to continue temporary measures in the next phase of New Hampshire's recovery. She said that it is anticipated that most of the provisions are only needed in the recovery phase and have a sunset clause on SB 155-FN.
- Speaking broadly, Ms. English said that SB 155-FN has provisions covering temporary health care licenses, remote or hybrid learning, health care and pharmacy flexibility, driver's education classes, wet signature requirements, and municipal flexibility.
- Ms. English said that each provision of SB 155-FN is currently in effect through an Emergency Order.
- Ms. English addressed each section of SB 155-FN:
  - Section 1 codifies temporary health partners, which are designed to address staffing shortages and have a limited scope of work.
  - Section 2 codifies certain emergency licensing provisions, giving the Office of Professional Licensure and Certification (OPLC) the ability to issue temporary emergency licenses as long as the applicant is in good standing, as well as the licensing of current and former military members.
  - Section 3 adds definitions about COVID-19 to the services pharmacies can provide.
  - Section 4 allows pharmacists to administer the COVID-19 test.
  - Section 5 allows pharmacy technicians to administer the COVID-19 vaccine.
  - Section 6 provides school districts with the temporary ability to transition to remote or hybrid learning when needed. It also includes requirements that Individualized Education Plans (IEPs) be followed.
  - Sections 7 and 8 allow for the use of school buses for things other than transporting

pupils.

- Section 9 creates a process for the Department of Health and Human Service (DHHS) to verify remote learning centers.
  - Section 10 expands access to a One-Year Certificate of Eligibility.
  - Section 11 covers services at alternative care sites.
  - Section 12 makes it so that there are no signature requirements in place for in-person prescription receipts or in-home prescription deliveries, except when federal signature requirements are in place for controlled substances exist.
  - Section 13 is a narrow provision to allow pharmacies to mail drugs for clinical trials.
  - Section 14 gives the DHHS Commissioner the ability to add members to the Ethics Committee.
  - Section 15 creates a local zoning Protection of Pre-existing, Non-conforming Use Status for Summer Camps.
  - Section 16 allows the Department of Motor Vehicles (DMV) to minimize in-person interactions.
  - Section 17 allows driver's education classroom instruction to take place remotely.
  - Section 18 gives municipalities flexibility about holding remote meetings under RSA 91-A.
  - Section 19 waives DHHS requirements for wet signatures.
  - Section 20 suspends premiums for the Medicaid for employed adults with disabilities (MEAD) program.
  - Section 21 allows that municipal and local governmental governing bodies may use RSA 41:29, I(a) to non-contemporaneously sign manifests outside a public meeting.
  - Section 22 mirrors the existing Emergency Order allowing municipalities to delay town meetings.
  - Section 23 protects construction abilities during the COVID-19 pandemic.
  - Section 24 deals with the swearing-in of newly elected officers.
  - Section 25 allows municipalities to choose to implement social distancing or face mask requirements.
- Ms. English said that most provisions repeal on January 31, 2022.
  - Senator Cavanaugh asked, about Page 5, Lines 28 to 33, if a school district has to get permission each time to go remote or hybrid.
    - Ms. English said that the goal is to have children be in school as much as is possible. She said that as New Hampshire moves into the next phase, there will be less and less of a need for hybrid or remote learning. She said that if a school has a breakout and needs to transition, they do need to seek permission.
  - Senator Cavanaugh said that a decision would need to be done quickly. He said that the school district would know best. He asked what is done now.
    - Ms. English said that schools are able to function in a hybrid or remote model under the Emergency Order. She that the provisions of SB 155-FN would be in place if the Emergency Order was not in effect. She said that there would still need to be a mechanism to allow hybrid or remote learning to take place.

## **Lindsey Courtney**

### **Executive Director, OPLC**

- Ms. Courtney spoke to Sections 2, 3, 4, 5, 13, and 18.
- Ms. Courtney said that health care providers moved to a telehealth platform quickly, which

posed a legal challenge. Health care is considered to occur wherever the patient is located, which became a problem for providers in bordering communities. Emergency Order 15 authorizes OPLC to issue emergency licenses to providers with a license in another jurisdiction. She said that it is a consolidated, quick, and simplified process which can be turned around in 24 business hours. She said that 20,000 emergency licenses have been issued.

- Ms. Courtney said that codifying the Emergency Orders will allow consistency, as they are tied to the state of emergency, which needs to be renewed every 21 days.
- Ms. Courtney said that pharmacists and pharmacy technicians are trusted health partners in the effort to combat COVID-19.
- Ms. Courtney said that many New Hampshire residents often travel to Massachusetts to take part in clinical trials for investigatory drugs. Ms. Courtney said that Massachusetts health care facilities want to continue their trials. She said that the population involved is a vulnerable and limited population.
- Ms. Courtney said that Section 18 suspends the need for a physical location for meetings. She said that this has been critical to agency and board business during the pandemic. She said that OPLC is open to the public and most staff are in their offices, but board meetings have been remote. She said that remote board meetings are safer and have increased transparency, with more people attending meetings.

## **Summary of testimony presented in opposition:**

### **Laura Condon**

#### **National Vaccine Information Center**

- Ms. Condon said that she opposes all provisions of the Emergency Orders. She said that they should only be used if there is a need in an emergency for temporary actions. She said that they have adverse consequences.
- Ms. Condon expressed a concern over the COVID-19 vaccine being administered to toddlers.
- Ms. Condon said that she believes the risks from an Emergency Use Authorization vaccine outweigh the risks from the COVID-19 virus.
- Ms. Condon expressed a concern over the impact that shutdowns and quarantines have had on children.
- Senator Prentiss expressed a concern over the reading of Section 5 of SB 155-FN and suggested a need to discuss with the Pharmacy Board.
  - Senator Carson agreed that the language could be confusing.

### **Randy Herbert**

- Mr. Herbert reiterated comments from Ms. Condon.
- Mr. Herbert said that he felt that the various Emergency Orders were unconstitutional.

### **Michelle McLaughlin**

- Ms. McLaughlin reiterated comments from Ms. Condon and Mr. Herbert.
- Ms. McLaughlin said that she was tired of being told what to do.
- Ms. McLaughlin expressed a concern over prescriptions being delivered through mail, citing

concerns over mail-in ballots during recent elections.

### **Julie Tucker**

- Ms. Tucker said that there are many items in SB 155-FN that should be looked at specifically.
- Ms. Tucker expressed opposition to remote meetings, saying that they removed public access.

### **Kelley Potenza**

- Ms. Potenza reiterated comments made by previous speakers.

### **Brian Hawkins**

#### **NEA-NH**

- Mr. Hawkins spoke to Section 6.
- Speaking to the requirements for going to remote or hybrid learning, Mr. Hawkins said that it appears to be big change from how the pandemic has developed. He said that the guidance was designed to allow flexibility and a lot of school boards worked at the local level for local plans. He said that most school districts are in some form of in-person learning. He said that that is what NEA-NH members want.
- Mr. Hawkins said that when students or staff contract COVID-19 and have been in a school, speed of approval for hybrid or remote learning is a concern, but not referenced in SB 155-FN. He asked who the arbiter of a disagreement is if the local school board feels there is an issue but the Commissioner disagrees.
- Mr. Hawkins said that the State Board of Education has just adopted rules around how to go forward –and it seems to him that the paragraph goes in a different direction.
- Senator Carson asked Mr. Hawkins to provide the newly-adopted rules to the Committee.
  - Mr. Hawkins said that he would do so.

### **Neutral Information Presented:**

#### **Rebecca Fredette**

#### **Division of Instruction, Department of Education**

- Ms. Fredette spoke to Section 6, II, (c) and (d). She said that while she understands the intention, there are a few cases to address.
- Ms. Fredette said that last year, when the Emergency Order was enacted, it places a burden on school districts to bring students into a building, address their social needs, develop a program, and hold a meeting for every student on an IEP in the district. She said that staff need to reestablish a relationship with students and develop data to make informed decisions.
- Ms. Fredette said that it will be difficult for staff to determine the impact on student's progress. She asked the Committee to consider allowing districts to consider the evaluation

at any point over the next year.

- Ms. Fredette said that the Federal Office of Special Education Programs did not have any waivers for time limits for evaluations.

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Date Hearing Report completed: February 23, 2021

# Speakers

Name	Title	Representing	Position	Testifying
English Lisa	State Agency Staff	The Governor's Office	Support	Yes
Bradley Jeb	An Elected Official	Myself SD 3 Jeb Bradley	Support	Yes
Condon Laura	A Member of the Public	Myself	Oppose	Yes
Courtney Lindsey	State Agency Staff	Office of Professional Licensure & Cert	Support	Yes
Hebert Randy	A Member of the Public	Myself	Oppose	Yes
McLaughlin Michele	A Member of the Public	Myself	Oppose	Yes
Mennella Alexandra	A Member of the Public	Myself	Oppose	Yes
Hewett Dustin	A Member of the Public	Myself	Oppose	Yes
Hannu Amos	A Member of the Public	Myself	Oppose	Yes
Rogers Abigail	State Agency Staff	Myself	Neutral	Yes
Potenza Kelley	A Member of the Public	Myself	Oppose	Yes
Tucker Julie	A Member of the Public	Myself	Oppose	Yes
Worthley Justin	State Agency Staff	Myself	Oppose	Yes
Heb Ran	A Member of the Public	Myself	Oppose	Yes
Hannu Tammy	A Member of the Public	Myself	Oppose	Yes
Sartoris Kevin	A Member of the Public	Myself	Oppose	No
Olson Jenna	A Member of the Public	Myself	Oppose	No
Macrae Kristen	A Member of the Public	Myself	Oppose	No
MJ	A Member of the Public	Myself	Oppose	No
Tibbetts Valerie	A Member of the Public	Myself	Oppose	No
Green Pamela	A Member of the Public	Myself and NH	Oppose	No
Jamilkowski Paul	A Member of the Public	Myself	Oppose	No
Skorupan Antje	A Member of the Public	Myself	Oppose	No
Hackendorf Melissa	A Member of the Public	Myself	Oppose	No
Thibodeau Ellen	A Member of the Public	Myself	Oppose	No
McCahon Erin	A Member of the Public	Myself	Oppose	No
H Joshua	A Member of the Public	Myself	Oppose	No
Thompson Danielle	A Member of the Public	Myself	Oppose	No
Thayer Kristin	A Member of the Public	Myself	Oppose	No
Schwerdt Emily	A Member of the Public	Myself	Oppose	No
Goddard L	A Member of the Public	Myself	Oppose	No
Bartlett Lawrence	A Member of the Public	Myself	Oppose	No
Bossi Kathleen	A Member of the Public	Myself	Oppose	No
Miller Kevin	A Member of the Public	Myself	Oppose	No
Martinez Juan	A Member of the Public	Myself	Oppose	No
Amie Lathrop	A Member of the Public	Myself	Oppose	No
Mitchell Roger	A Member of the Public	Myself	Oppose	No
Hayden Sam	A Member of the Public	Myself	Support	No
Roy Brendan	A Member of the Public	Myself	Oppose	No
Hamel Sally	A Member of the Public	Myself	Oppose	No
LeVasseur Nicole	A Member of the Public	Myself	Oppose	No
Seppala Creighton	A Member of the Public	Myself	Oppose	No
Richard Daniel	A Member of the Public	Myself	Oppose	No
Josiah Hackendorf	A Member of the Public	Myself	Oppose	No
Kuzmak Jane	A Member of the Public	Myself	Oppose	No
Berggren Jaime	A Member of the Public	Myself	Oppose	No
Julie Caruccio	A Member of the Public	Myself	Oppose	No
Barss Adam	A Member of the Public	Myself	Oppose	No
Potenza Peter	A Member of the Public	Myself	Oppose	No



Stachura Andrew	A Member of the Public	Myself	Oppose	No
Niehaus Adriane	A Member of the Public	Myself	Oppose	No
Bock Debra	A Member of the Public	Myself	Oppose	No
Cooper Carlton	A Member of the Public	Myself	Oppose	No
Bowers Danielle	A Member of the Public	Myself	Oppose	No
Bowers Steven	A Member of the Public	Myself	Oppose	No
Anne Crawford	A Member of the Public	Myself	Oppose	No
Bock Gerald	A Member of the Public	Myself	Oppose	No
Christie John	A Member of the Public	Myself	Oppose	No
Healy Shauna	A Member of the Public	Myself	Oppose	No
Healy John	A Member of the Public	Myself	Oppose	No
Wilson Mary	A Member of the Public	Myself	Oppose	No
Guyotte Nancy	A Member of the Public	Myself	Oppose	No
Skelley Paula	A Member of the Public	Myself	Oppose	No
Dalamangas Diane	A Member of the Public	Myself	Oppose	No
Hohensee Doris	A Member of the Public	Myself	Oppose	No
BARRETO LOUIS	A Member of the Public	Myself	Oppose	No
Plunkett Frances	A Member of the Public	Myself	Oppose	No
Fredriksen Erik	A Member of the Public	Myself	Oppose	No
Cyr Janice	A Member of the Public	Myself	Oppose	No
Francis Joyce	A Member of the Public	Myself	Oppose	No
Peterson Carlene	A Member of the Public	Myself	Oppose	No
Langlais Thomas	A Member of the Public	Myself	Oppose	No
Avallon James	A Member of the Public	Myself	Oppose	No
schade catherine	A Member of the Public	Myself	Oppose	No
schade stephen	A Member of the Public	Myself	Oppose	No
Sciacca Eliza	A Member of the Public	Myself	Oppose	No
Nicole Burke	A Member of the Public	Myself	Oppose	No
LeBaron Michael	A Member of the Public	Myself	Oppose	No
Umenhofer Joanna	A Member of the Public	Myself	Oppose	No
Umenhofer Mike	A Member of the Public	Myself	Oppose	No
Knott Rebecca	A Member of the Public	Myself	Oppose	No
MILLER Rebecca	A Member of the Public	Myself	Oppose	No
Connolly Jodi	A Member of the Public	Myself	Oppose	No
Brandano Al	A Member of the Public	Myself	Oppose	No
Danielle G	A Member of the Public	Myself	Oppose	No
G Travis	A Member of the Public	Myself	Oppose	No
Hagerty Liam	A Member of the Public	Myself	Oppose	No
Adam DiF	A Member of the Public	Myself	Oppose	No
Bethuy Donald	A Member of the Public	Myself	Oppose	No
Handley Greg	A Member of the Public	Myself	Oppose	No
Lozito Patrick	A Member of the Public	Myself	Oppose	No
Lozito Marie	A Member of the Public	Myself	Oppose	No
Irwin Charles	A Member of the Public	Myself	Oppose	No
Alley Crystalynn	A Member of the Public	Myself	Oppose	No
Mano Anna	A Member of the Public	Myself family friends against big government	Oppose	No
Van Wagner Darrell	A Member of the Public	Myself	Oppose	No
Goldstein Hillarie	A Member of the Public	Myself	Oppose	No
Amy Johnson	A Member of the Public	Myself	Oppose	No
Johnson Steve	A Member of the Public	Myself	Oppose	No

Stevens Holly	A Lobbyist	New Futures	Support	No
Collins Maria	A Member of the Public	Myself	Oppose	No
Brooks Roland	A Member of the Public	Myself	Oppose	No
Ledoux Max	A Member of the Public	Myself	Oppose	No
Helgerson Loralee	A Member of the Public	Myself	Oppose	No
Pickett Adaris	A Member of the Public	Myself Clinical Social Worker Registered Play Therapist-Supervisor Researcher Business Owner Veteran Latina Wife Mom	Oppose	No
Imran Mazahir	A Member of the Public	Myself	Oppose	No
Rusher Eleanor	A Member of the Public	Myself	Oppose	No
Haskins Nancy	A Member of the Public	Myself	Oppose	No
Bennett Erica	A Member of the Public	Myself	Oppose	No
M A	A Member of the Public	Myself	Oppose	No
Le Doux Christian	A Member of the Public	Myself	Oppose	No
M I	A Member of the Public	Myself	Oppose	No
Trisha Guillemette	A Member of the Public	Myself	Oppose	No
M JA	A Member of the Public	Myself	Oppose	No
Parasco Andrea	A Member of the Public	Myself	Oppose	No
Capellan Lisa	A Member of the Public	Myself	Oppose	No
Capellan Jay	A Member of the Public	Myself	Oppose	No
Pritchard Cynthia	A Member of the Public	Myself	Oppose	No
Hall Matthew	A Member of the Public	Myself	Oppose	No
Parasco Ariana	A Member of the Public	Myself	Oppose	No
P. J.	A Member of the Public	Myself	Oppose	No
Parasco Whiting Sofia	A Member of the Public	Myself	Oppose	No
Whiting Sean	A Member of the Public	Myself	Oppose	No
Parasco Janet	A Member of the Public	Myself	Oppose	No
Rogan Beverly	A Member of the Public	Myself	Oppose	No
Weaver Marzena	A Member of the Public	Myself	Oppose	No
Shepard Laurie	A Member of the Public	Myself	Oppose	No
okeefe John	A Member of the Public	Myself	Oppose	No
Brisson Abigail	A Member of the Public	Myself	Oppose	No
Lorento Janelle	A Member of the Public	Myself	Oppose	No
Rider Diane	A Member of the Public	Myself	Oppose	No
Binford Garrett	A Member of the Public	Myself	Oppose	No
Davis Shawn	A Member of the Public	Myself	Oppose	No
Bennett Kimberly J	A Member of the Public	Myself	Oppose	No
Clifford Kevin	A Member of the Public	Myself	Oppose	No
Rodionova Elena	A Member of the Public	Myself	Oppose	No
Larsen Schultz Kirsten	A Member of the Public	Myself	Oppose	No
Lowry James	A Member of the Public	Myself	Oppose	No
Hawkins Brian	A Lobbyist	NEA-NH	Oppose	No
Belanger Paula	A Member of the Public	Myself	Oppose	No
Belanger Shane	A Member of the Public	Myself	Oppose	No
Tibbetts Gordon	A Member of the Public	Myself	Oppose	No
Lee David	A Member of the Public	Myself	Oppose	No
Foley Arseneau Dorothy	A Member of the Public	Myself	Oppose	No
Gaudet John	A Member of the Public	Myself	Oppose	No
Adams Sabina	A Member of the Public	Myself	Oppose	No
Boston Cassandra	A Member of the Public	Myself	Oppose	No
Nadeau Gwynne	A Member of the Public	Myself	Oppose	No
Molloy Kelly	A Member of the Public	Myself	Oppose	No

Lee Kelly	A Member of the Public	Myself	Oppose	No
Ean Pamela	A Member of the Public	Myself	Oppose	No
Taylor Heather	A Member of the Public	Myself	Oppose	No
E Liz	A Member of the Public	Myself	Oppose	No
LeVasseur Barbara	A Member of the Public	Myself	Oppose	No
LeVasseur-Swiatek Olivia	A Member of the Public	Myself	Oppose	No
Le Doux Amiee	A Member of the Public	Myself	Oppose	No
LeVasseur-Swiatek Nathan	A Member of the Public	Myself	Oppose	No
LeVasseur-Swiatek Sophia	A Member of the Public	Myself	Oppose	No
Plenge Marianne	A Member of the Public	Myself	Oppose	No
Plenge William	A Member of the Public	Myself	Oppose	No
Clough Holly	A Member of the Public	Myself	Oppose	No
Larose Donna	A Member of the Public	Myself	Oppose	No
Richardson Francis	A Member of the Public	Myself	Oppose	No
Menard Norma	A Member of the Public	Myself	Oppose	No
collins wannetta	A Member of the Public	Myself	Oppose	No
Kelley Elizabeth	A Member of the Public	Myself	Oppose	No
Kelley Patrick	A Member of the Public	Myself	Oppose	No
Blakney Erik	A Member of the Public	Myself	Oppose	No
Antin Melissa	A Member of the Public	Myself	Oppose	No
Gentile Karla	A Member of the Public	Myself	Oppose	No
Antin Luke	A Member of the Public	Myself	Oppose	No
Camarota Linda Rea	A Member of the Public	Myself	Oppose	No
Silber Rep Norm	An Elected Official	Myself	Oppose	No
Richardson Mark	A Member of the Public	Myself	Oppose	No
Richardson Christine	A Member of the Public	Myself	Oppose	No
Nordlund Karl	A Member of the Public	Myself	Oppose	No
Hall Emily	A Member of the Public	Myself	Oppose	No
Pruitt Angela	A Member of the Public	Myself	Oppose	No
ANGELIS CHERYL	A Member of the Public	Myself	Oppose	No
Green Christiane	A Member of the Public	Myself	Oppose	No
Anthes Janis	A Member of the Public	Myself	Oppose	No
Damon Sonya	A Member of the Public	Myself	Oppose	No
Matson Lori	A Member of the Public	Myself	Oppose	No
Lincoln Melanie	A Member of the Public	Myself	Oppose	No
Surman Elizabeth	A Member of the Public	Myself	Oppose	No
Nardi Maria	A Member of the Public	Myself	Oppose	No
Foster William	An Elected Official	Hillsborough 5	Oppose	No
Franson camilla	A Member of the Public	Myself and my family	Oppose	No
Solomon Rebecca	A Member of the Public	Myself	Oppose	No
RUOCCO HOLLY	A Member of the Public	Myself	Oppose	No
Goddard Linda	A Member of the Public	Myself	Oppose	No
Robinson Audrey	A Member of the Public	Myself	Oppose	No
Reed Eleanor	A Member of the Public	Myself	Oppose	No
Matson Troy	A Member of the Public	Myself	Oppose	No
Bennett Janet	A Member of the Public	Myself	Oppose	No
Goddard Albert	A Member of the Public	Myself	Oppose	No
Cloutier Suzanne	A Member of the Public	Myself	Oppose	No
Bennett Thomas R.	A Member of the Public	Myself	Oppose	No
Kellie Bruce	A Member of the Public	Myself	Oppose	No

Harned Catherine	A Member of the Public	Myself	Oppose	No
Pothier Mary	A Member of the Public	Myself	Oppose	No
Dacey Monique	A Member of the Public	Myself	Oppose	No
Guven Tacı	A Member of the Public	Myself	Oppose	No
Low David	A Member of the Public	Myself	Oppose	No
cook susan	A Member of the Public	myself	Oppose	No
Seppala Emily	A Member of the Public	Myself	Oppose	No
Sanville Deanne	A Member of the Public	Myself	Oppose	No
Wester Jessica	A Member of the Public	Myself	Oppose	No
Wooster Jacqueline	A Member of the Public	Myself	Oppose	No
Wester Jeff	A Member of the Public	Myself	Oppose	No
Bryan Nichols	A Member of the Public	Myself	Oppose	No
Ward Bryan	A Member of the Public	Myself	Oppose	No
Methot Jennifer	A Member of the Public	Myself	Oppose	No
Ward Phil	A Member of the Public	Myself	Oppose	No
West Shawna	A Member of the Public	Myself	Oppose	No
Ward Deborah	A Member of the Public	Myself	Oppose	No
Nichols Chandra	A Member of the Public	Myself	Oppose	No
Swiatek David	A Member of the Public	Myself	Oppose	No
Garruba Joseph	A Member of the Public	Myself	Oppose	No
Pierce Douglas	A Member of the Public	Myself	Oppose	No
Lajoie Mark	A Member of the Public	Myself	Oppose	No
Maltais Amy	A Member of the Public	Myself	Oppose	No
Smith Sylvia	A Member of the Public	Myself and my grandchildren who need to be in regular school classes	Oppose	No
McCarvill John	A Member of the Public	Myself	Oppose	No
Abbott Jeremy	A Member of the Public	Myself	Oppose	No
Mullin Kelly	A Member of the Public	Myself	Oppose	No
Adams Stephen	A Member of the Public	Myself	Oppose	No
Morris Steven	A Member of the Public	Myself	Oppose	No
Doughty Patrick	A Member of the Public	Myself	Oppose	No
Brisson Angel	A Member of the Public	Myself	Oppose	No
Bragdon Nathaniel	A Member of the Public	Myself	Oppose	No
Bragdon Erika	A Member of the Public	Myself	Oppose	No
Kachmar Tim	A Member of the Public	Myself	Oppose	No
Schmidt Rebecca	A Member of the Public	Myself	Oppose	No
Plenge Deborah	A Member of the Public	Myself	Oppose	No
Schmidt Eric	A Member of the Public	Myself	Oppose	No
Brisson David	A Member of the Public	Myself	Oppose	No
Mary Markert	A Member of the Public	Myself	Oppose	No
Schm Rig	A Member of the Public	Myself	Oppose	No
Sirois Catherine	A Member of the Public	Myself	Oppose	No
Jussila Naomi	A Member of the Public	Myself	Oppose	No
Hildreth Jay	A Member of the Public	Myself	Oppose	No
Francis Taylor	A Member of the Public	Myself	Oppose	No
Gudek Charissa	A Member of the Public	Myself	Oppose	No
Stone Peter	A Member of the Public	Myself	Oppose	No
Altemose Pamela	A Member of the Public	Myself	Oppose	No
Binford David	An Elected Official	Myself and Constituents	Oppose	No
Gifford George	A Member of the Public	Myself	Oppose	No
Hargrove Susan	A Member of the Public	Myself	Oppose	No

Beaudoin Sherr	A Member of the Public	Myself	Oppose	No
Lammott Diane	A Member of the Public	Myself	Oppose	No
Black Meilliege	A Member of the Public	Myself	Oppose	No
Ducharme Cheryl	A Member of the Public	Myself	Oppose	No
Weston Leah	A Member of the Public	Myself	Oppose	No
Genus Francis	A Member of the Public	Myself	Oppose	No
Strang David	State Agency Staff	Myself	Oppose	No
Maslov Victor	A Member of the Public	Myself	Oppose	No
Oliver Christen	A Member of the Public	Myself	Oppose	No
Owens Brady	A Member of the Public	Myself	Oppose	No
Ripplinger Paul	A Member of the Public	Myself	Oppose	No
Roll Kevin	A Member of the Public	Myself	Oppose	No
Wilson Merideth	State Agency Staff	Myself	Oppose	No
Oliver Frank	A Member of the Public	Myself	Oppose	No
Dade Kristina	A Member of the Public	Myself	Oppose	No
Taku Noelle	A Member of the Public	Myself	Oppose	No
C. Anthony	A Member of the Public	Myself	Oppose	No
See Alvin	A Member of the Public	Myself	Oppose	No
Krapf Skylar	A Member of the Public	Myself	Oppose	No
Somero Jason	A Member of the Public	Myself	Oppose	No
Fay Chris	A Member of the Public	Myself	Oppose	No
Costa Chris	A Member of the Public	Myself	Oppose	No
Bernard Jaime	A Member of the Public	Myself	Oppose	No
Kuusisto Julia	A Member of the Public	Myself	Oppose	No
Olohan Katie	A Member of the Public	Myself	Oppose	No
Olohan Richard	A Member of the Public	Myself	Oppose	No
Turner Harold	A Member of the Public	Myself	Oppose	No
Jussila Miriam	A Member of the Public	Myself	Oppose	No
Kachmar Lee	A Member of the Public	Myself	Oppose	No
GORDON DORIS M	A Member of the Public	Myself	Oppose	No
Zimmerman Laura	A Member of the Public	Myself	Oppose	No
Mathews Janice	A Member of the Public	Myself	Oppose	No
Peter Bryan	A Member of the Public	Myself	Oppose	No
Traffie Laylah	A Member of the Public	Myself	Oppose	No
Seppala Kathleen	A Member of the Public	Myself	Oppose	No
Jussila Logan	A Member of the Public	Myself	Oppose	No
Horrigan Rep. Timothy	An Elected Official	Strafford 6	Support	No
Bateman Eric	A Member of the Public	Myself	Oppose	No
Johnson Paula	A Member of the Public	Myself	Oppose	No
Seaman Jessicah	A Member of the Public	Myself	Oppose	No
Cheryl Morse	A Member of the Public	Myself	Oppose	No
Millet Daniel	A Member of the Public	Myself	Oppose	No
Tanafon Eric	A Member of the Public	Myself	Oppose	No
Bartel Mary	A Member of the Public	Myself	Oppose	No
Martin Chas	A Member of the Public	Myself	Oppose	No
Cav Ufuk	A Member of the Public	Myself	Oppose	No
Richardson Bryan	A Member of the Public	Myself	Oppose	No
Malm Patsy	A Member of the Public	Myself	Oppose	No
Anderson Shayla	A Member of the Public	Myself	Oppose	No
Silarski Lynette	A Member of the Public	Myself	Oppose	No

Citizen Very Concerned	A Member of the Public	Myself	Oppose	No
Cook Joel	A Member of the Public	Myself	Oppose	No
McEwan Nicole	A Member of the Public	Myself	Oppose	No
McEwan Robert	A Member of the Public	Myself	Oppose	No
Stevens Robert	A Member of the Public	Myself	Oppose	No
Towne Brenda	A Member of the Public	Myself	Oppose	No
Costenbader Mwlody	A Member of the Public	Myself	Oppose	No
Towne Rodney	A Member of the Public	Myself	Oppose	No
Perkins Max	A Member of the Public	Myself	Oppose	No
Costenbader David	A Member of the Public	Myself	Oppose	No
Cianci Christopher	A Member of the Public	Myself	Oppose	No
Cianci Leyna	A Member of the Public	Myself	Oppose	No
McCarthy Erinn	A Member of the Public	Myself	Oppose	No
M Sue	A Member of the Public	Myself	Oppose	No
Ellison Daniel	A Member of the Public	Myself	Oppose	No
Wolfe Deb	A Member of the Public	Myself	Oppose	No
garnett ronald	A Member of the Public	Myself	Oppose	No
O&#39;Connor Eileen	A Member of the Public	Myself	Oppose	No
Hunter Brett	A Member of the Public	Myself	Oppose	No
Tourigny Brett	A Member of the Public	Myself	Oppose	No
Jaycie Rautiola	A Member of the Public	Myself	Oppose	No
Millman Linda	A Member of the Public	Myself	Oppose	No
Horrigan Timothy	An Elected Official	Strafford 6	Support	No
Olson Neil	A Member of the Public	Myself	Oppose	No
Sanborn Robyn	A Member of the Public	Myself	Oppose	No
Krajewska Andrea	A Member of the Public	Myself	Oppose	No
Clendenen Faith	A Member of the Public	Myself	Oppose	No
Courchaine Sarah	A Member of the Public	Myself	Oppose	No
Courchaine Nicholas	A Member of the Public	Myself	Oppose	No
Joanne Saunders	A Member of the Public	Myself	Oppose	No
Mullen Cathy	A Member of the Public	Myself	Oppose	No
Traynor Sarah	A Member of the Public	Myself	Oppose	No
Derrey Michael	A Member of the Public	Myself	Oppose	No
Bostic Vincent	A Member of the Public	Myself	Oppose	No
Penkacik Aaron	A Member of the Public	Myself	Oppose	No
LeDoux Mark	An Elected Official	Myself	Oppose	No
Connors Kimberly	A Member of the Public	Myself	Oppose	No
Cushman Stephen	A Member of the Public	Myself	Oppose	No
Cushman Leah	An Elected Official	Myself	Oppose	No
Carpenter Jane	A Member of the Public	Myself	Oppose	No
Sanborn Garrett	A Member of the Public	Myself	Oppose	No
Craig Kevin	An Elected Official	My district	Oppose	No
Saba Michael	A Member of the Public	Myself	Oppose	No
McGraw Dan	A Member of the Public	Myself	Oppose	No
Frohock Sarah	A Member of the Public	Myself	Oppose	No
Kim Heath	A Member of the Public	Myself	Oppose	No
Hersom Erica	A Member of the Public	Myself	Oppose	No
Strong Michelle	A Member of the Public	Myself	Oppose	No
parker Charity	A Member of the Public	Myself	Oppose	No
Whitney Gary	A Member of the Public	Myself	Oppose	No

Kender Sara M.	A Member of the Public	Myself	Oppose	No
WARD DENIS	A Member of the Public	Myself	Oppose	No
McLeod Thomas	A Member of the Public	Myself	Oppose	No
Warnke Darlene	A Member of the Public	Myself	Oppose	No
Little Val	A Member of the Public	Myself	Oppose	No
Trudel Anita	A Member of the Public	Myself	Oppose	No
Perrinez Dan	A Member of the Public	Myself	Oppose	No
Terry Paul	An Elected Official	Myself	Oppose	No
Le Doux Jean-Marc	A Member of the Public	Myself	Oppose	No
Burton Cherie	A Member of the Public	Myself	Oppose	No
Bemis Amanda	A Member of the Public	Myself	Oppose	No
Bemis Matt	A Member of the Public	Myself	Oppose	No
Cedolin Alexandra	A Member of the Public	Myself	Oppose	No
Cedolin Bradley	A Member of the Public	Myself	Oppose	No
Wilson Audra	A Member of the Public	Myself	Oppose	No
LaLone Edward	A Member of the Public	Myself	Oppose	No
Miller Alicia	A Member of the Public	Myself	Oppose	No
Grant Sue	A Member of the Public	Myself	Oppose	No
Perfetto Vince	A Member of the Public	Myself	Oppose	No
Kudlik Cindy	An Elected Official	Myself	Oppose	No
Ainsworth Bonnie	A Member of the Public	Myself	Oppose	No
Sarmanian Jr John	A Member of the Public	Myself	Oppose	No
Shangraw Deni	A Member of the Public	Myself	Oppose	No
Hinckley Cheryl	A Member of the Public	Myself	Oppose	No
Stevens Japhet	A Member of the Public	Myself	Oppose	No
Nevin Rebecca	A Member of the Public	Myself	Oppose	No
Strodel Bob	A Member of the Public	Myself	Oppose	No
Baker Scott	A Member of the Public	Myself	Oppose	No
Augusta Jude	A Member of the Public	Myself	Oppose	No
Torelli Joseph	A Member of the Public	Myself	Oppose	No
Copp Hon. Anne	An Elected Official	Myself	Oppose	No
Ferry David	A Member of the Public	Myself	Oppose	No
Sherwood Joyce	A Member of the Public	Myself	Oppose	No
Muise Cristina	A Member of the Public	Myself	Oppose	No
Muise Jason	A Member of the Public	Myself	Oppose	No
Muise Colby	A Member of the Public	Myself	Oppose	No
Grande Vinny	A Member of the Public	Myself	Oppose	No
Merrick Kelly	A Member of the Public	Myself	Oppose	No
Ledoux Maxim	A Member of the Public	Myself	Oppose	No
Timmins Courtney,	A Member of the Public	Myself	Oppose	No
Concordia Nicole	A Member of the Public	Myself	Oppose	No
Adams Elizabeth	A Member of the Public	Myself	Oppose	No
Csiza Steven	A Member of the Public	Myself	Oppose	No
Csiza Nicole	A Member of the Public	Myself	Oppose	No
Silva Lance	A Member of the Public	Myself	Oppose	No
McLean Scott	A Member of the Public	Myself	Oppose	No
Paluch Rachel	A Member of the Public	Myself	Oppose	No
Fergus Julie	A Member of the Public	Myself	Oppose	No
Hamel Denis	A Member of the Public	Myself	Oppose	No
Plannette Miles	A Member of the Public	Myself	Oppose	No

Wilson Sarah	A Member of the Public	Myself	Oppose	No
Clark Richard	A Member of the Public	Myself	Oppose	No
Kennedy Meg	A Member of the Public	Myself	Oppose	No
Wilson Zachary	A Member of the Public	Myself	Oppose	No
Balcar David	A Member of the Public	Myself	Oppose	No
O&#39;Day John	A Member of the Public	Myself	Oppose	No
Throm Jeffrey	A Member of the Public	Myself	Oppose	No
Anderson Mary	A Member of the Public	Myself	Oppose	No
Fergus Tom	A Member of the Public	Myself	Oppose	No
Rounds Cheryl	A Member of the Public	Myself	Oppose	No
Howell Robert	A Member of the Public	Myself	Oppose	No
Perkins Caryn	A Member of the Public	Myself	Oppose	No
Petty Greta	A Member of the Public	Myself	Oppose	No
Dauphinais Erin	A Member of the Public	Myself	Oppose	No
Melendy Elizabeth	A Member of the Public	Myself	Oppose	No
Sylvester Lisa	A Member of the Public	Myself	Oppose	No
Wydola Jacquelyn	A Member of the Public	Myself	Oppose	No
Milbrand Heidi	A Member of the Public	Myself	Oppose	No
Mateychuk Nadine	A Member of the Public	Myself	Oppose	No
Miller Michael	A Member of the Public	Myself	Oppose	No
Hagan Hon Barbara J	A Member of the Public	Myself	Oppose	No
Bowley Bonnie	A Member of the Public	Myself	Oppose	No
Peternel Catherine	A Member of the Public	Myself	Oppose	No
Owens Kimberly	A Member of the Public	Myself	Oppose	No
H Beth	A Member of the Public	Myself	Oppose	No
Roy Ronald	A Member of the Public	Myself	Oppose	No
Lorig Daniel	A Member of the Public	Myself	Oppose	No
Clement Dale	A Member of the Public	Myself	Oppose	No
Randall Paula	A Member of the Public	Myself	Oppose	No
Melendy Cole	A Member of the Public	Myself	Oppose	No
Nordlund Nicole	A Member of the Public	Myself	Oppose	No
Lenfest Devin	A Member of the Public	Myself	Oppose	No
Schofield Mary	A Member of the Public	Myself	Oppose	No
Clement Jean	A Member of the Public	Myself	Oppose	No
Garcia Adam	A Member of the Public	Myself	Oppose	No
Wolfgang Ashley	A Member of the Public	Myself	Oppose	No
Maloney Robin	A Member of the Public	Myself	Oppose	No
Wolfgang William	A Member of the Public	Myself	Oppose	No
Richardson Wendy	A Member of the Public	Myself	Oppose	No
Boyd John	A Member of the Public	Myself	Oppose	No
cornell scott	A Member of the Public	Myself	Oppose	No
Tierney Bambi	A Member of the Public	Myself	Oppose	No
Richardson Jason	A Member of the Public	Myself	Oppose	No
Richardson Joan	A Member of the Public	Myself	Oppose	No
Schofield John	A Member of the Public	Myself	Oppose	No
Hunt Gavin	A Member of the Public	Myself	Oppose	No
Hunt Ella	A Member of the Public	Myself	Oppose	No
McCosh Michael	A Member of the Public	Myself	Oppose	No
Stephenson Douglas	A Member of the Public	Myself	Oppose	No
Richardson Grace	A Member of the Public	Myself	Oppose	No



Richardson Evelyn	A Member of the Public	Myself	Oppose	No
Richardson Grant	A Member of the Public	Myself	Oppose	No
Supry Crystal	A Member of the Public	Myself	Oppose	No
Hyatt Ellen	A Member of the Public	Myself	Oppose	No
Richardson Paul	A Member of the Public	Myself	Oppose	No
Jeffords Jean	A Member of the Public	Myself	Oppose	No
Martin Diane	A Member of the Public	Myself	Oppose	No
Rousseau Robin	A Member of the Public	Myself	Oppose	No
CORMIER Jane	A Member of the Public	Myself	Oppose	No
Millerick Shawn	A Member of the Public	Myself	Oppose	No
Bourque Kellie	A Member of the Public	Myself	Oppose	No
Vitale Rebecca	A Member of the Public	Myself	Oppose	No
Gorman Stephanie	A Member of the Public	Myself	Oppose	No
Terhune Mary-Elisabeth	A Member of the Public	Myself	Oppose	No
Prevey-Levin Kathleen	A Member of the Public	Myself	Oppose	No
Seppala Toini	A Member of the Public	Myself	Oppose	No
Turner Paul	A Member of the Public	Myself	Oppose	No
Lowry Daniel	A Member of the Public	Myself	Oppose	No
King Seth	A Member of the Public	Myself	Oppose	No
Marvin Kurt	A Member of the Public	Myself	Oppose	No
Biederman Nancy	A Member of the Public	Myself	Oppose	No
Koza Elaine	A Member of the Public	Myself	Oppose	No
Lindenfeld Malaise	A Member of the Public	Myself	Oppose	No
Swain Christine	A Member of the Public	Myself	Oppose	No
Durrett Wendy	A Member of the Public	Myself	Oppose	No
Gillespie Beau	A Member of the Public	Myself	Oppose	No
Chamberlin Lisa	A Member of the Public	Myself	Oppose	No
Lajoie Theresa	A Member of the Public	Myself	Oppose	No
Chauvin Paul	A Member of the Public	Myself	Oppose	No
french william	A Member of the Public	Myself	Oppose	No
Maguire Mike	A Member of the Public	Myself	Oppose	No
Mazur Lisa	A Member of the Public	Myself	Oppose	No
Mossey Karen	A Member of the Public	Myself	Oppose	No
Fyfe Cheryl	A Member of the Public	Myself	Oppose	No
Mackey Jessica	A Member of the Public	Myself	Oppose	No
Goertel Wayne	A Member of the Public	Myself	Oppose	No
Bostic Carol	A Member of the Public	Myself	Oppose	No
Sayer Robert	A Member of the Public	Myself	Oppose	No
Day Brett	A Member of the Public	Myself	Oppose	No
Postrech Kate	A Member of the Public	Myself	Oppose	No
Haefner Aly	A Member of the Public	Myself	Oppose	No
Wallace James	A Member of the Public	Myself	Oppose	No
Wallace Andrew	A Member of the Public	Myself	Oppose	No
Haefner Christopher	A Member of the Public	Myself	Oppose	No
Howland Curtis	A Member of the Public	Myself	Oppose	No
Wallace Christine	A Member of the Public	Myself	Oppose	No
Haefner Benjamin	A Member of the Public	Myself	Oppose	No
Lee Sharon	A Member of the Public	Myself	Oppose	No
Haefner Mary Catherine	A Member of the Public	Myself	Oppose	No
Nelson James W	A Member of the Public	Myself	Oppose	No

King Georgia	A Member of the Public	Myself	Oppose	No
Dube Ashley	A Member of the Public	Myself	Oppose	No
Haefner Brigid	A Member of the Public	Myself	Oppose	No
Beaulieu Robert	A Member of the Public	Myself	Oppose	No
Haefner Sean	A Member of the Public	Myself	Oppose	No
Middleton Amy	A Member of the Public	Myself	Oppose	No
Haefner Mark	A Member of the Public	Myself	Oppose	No
Beaudry Adina	A Member of the Public	Myself	Oppose	No
Shea Kerri	A Member of the Public	Myself	Oppose	No
Ellis Julianne	A Member of the Public	Myself	Oppose	No
Puglia Chuck	A Member of the Public	Myself	Oppose	No
Jaquith Jennifer	A Member of the Public	Myself	Oppose	No
Russell Jennifer	A Member of the Public	Myself	Oppose	No
Gauthier Christian	A Member of the Public	Myself	Oppose	No
Steenbeke Melanie	A Member of the Public	Myself	Oppose	No
Anderson Amanda	A Member of the Public	Myself	Oppose	No
Steenbeke Edward	A Member of the Public	Myself	Oppose	No
Anderson Brady	A Member of the Public	Myself	Oppose	No
Hope Lucinda	A Member of the Public	Myself	Support	No
Black Kimberly	A Member of the Public	Myself	Oppose	No
Manney Jeanne	A Member of the Public	Myself	Oppose	No
Tennis Laura	A Member of the Public	Myself	Oppose	No
Porter Jandee	A Member of the Public	Myself	Oppose	No
Dudak Colemann	A Member of the Public	Myself	Oppose	No
Nuchow Leslie	A Member of the Public	Myself	Oppose	No
Hartzell Emily	A Member of the Public	Myself	Oppose	No
Sanchez Alison	A Member of the Public	Myself	Oppose	No
Dudak Breanna	A Member of the Public	Myself	Oppose	No
Marino John	A Member of the Public	Myself	Oppose	No
Blasek Melissa	An Elected Official	Myself	Oppose	No
Sexton Sara	A Member of the Public	Myself	Oppose	No
Rojas Cali	A Member of the Public	Myself	Oppose	No
Greenough Peggie	A Member of the Public	Myself	Oppose	No
Greenough Jr David	A Member of the Public	Myself	Oppose	No
Greenough Thomas	A Member of the Public	Myself	Oppose	No
Rojas Emily	A Member of the Public	Myself	Oppose	No
Leary Heather	A Member of the Public	Myself	Oppose	No
Ladd Carl	A Lobbyist	New Hampshire School Administrators Association	Oppose	No
Korfiatis Maria	A Member of the Public	Myself	Oppose	No
VanPatten Emily	A Member of the Public	Myself	Oppose	No
Cates Tammy	A Member of the Public	Myself	Oppose	No
Kishinevsky Rebecca	A Member of the Public	Myself	Oppose	No
Byrnes Margaret	A Lobbyist	NH Municipal Association	Support	No
Weeden Amanda	A Member of the Public	Myself	Oppose	No
Brannen Tyler	State Agency Staff	Insurance Department	Neutral	No
Levell Michelle	A Member of the Public	Myself	Oppose	No
Forday Nicole	A Member of the Public	Myself	Support	No
White Melissa	A Member of the Public	Myself	Oppose	No
Trexler Larisa	A Member of the Public	Myself	Oppose	No
Trexler Ryan	A Member of the Public	Myself	Oppose	No

Libby Heather	A Member of the Public	Myself	Oppose	No
Mason Angela	A Member of the Public	Myself	Oppose	No
Lail Nicole	A Member of the Public	Myself	Oppose	No
Kelley Rochelle	A Member of the Public	Myself	Oppose	No
Kelley Samuel	A Member of the Public	Myself	Oppose	No
Babb Paul	A Member of the Public	Myself	Oppose	No
Rossal Julie	A Member of the Public	Myself	Oppose	No
Rossal Dave	A Member of the Public	Myself	Oppose	No
Larson Ruth	A Member of the Public	Myself	Support	No
Le Doux Julie	A Member of the Public	Myself	Oppose	No
Engelsen Nicole	A Member of the Public	Myself	Oppose	No
McCue Dara	A Member of the Public	Myself	Support	No
Peterson Kathy	A Member of the Public	Myself	Oppose	No
Martin Rachel	A Member of the Public	Myself	Oppose	No
Manuse Andrew	A Member of the Public	Myself	Oppose	No
McCartney Evan	A Member of the Public	Myself	Oppose	No
McCartney Michelle	A Member of the Public	Myself	Oppose	No
Judge Donna	An Elected Official	Myself	Oppose	No
DeMark Richard	A Member of the Public	Myself	Support	No
Traffie Jenae	A Member of the Public	Myself	Oppose	No
Martin Jeanne	A Member of the Public	Myself	Oppose	No
McLaughlin Lori	A Member of the Public	Myself	Oppose	No
Smith Kevin	A Member of the Public	Myself	Oppose	No
Scott Don	A Member of the Public	Myself	Oppose	No
Petrusewicz Carol	A Member of the Public	Myself	Oppose	No
Falardeau Mary	A Member of the Public	Myself	Oppose	No
Headley Daniel	A Member of the Public	Myself	Support	No
Burnham Claudine	A Member of the Public	Myself	Oppose	No
Maher Melinda	A Member of the Public	Myself	Oppose	No
M Vicktoria	A Member of the Public	Myself	Oppose	No
Sylvia Elizabeth	A Member of the Public	Myself	Oppose	No
Dean Nancy	A Member of the Public	Myself	Oppose	No
Cote Kayla	A Member of the Public	Myself	Oppose	No
Wilson Sharon	A Member of the Public	Myself	Oppose	No
Jorgensen Patricia	A Member of the Public	Myself	Oppose	No
Gladders Barbara	A Member of the Public	Myself	Oppose	No
Domenico William	A Member of the Public	Myself	Oppose	No
Willerer Rachel	A Member of the Public	Myself	Oppose	No
Dolpies Michael	A Member of the Public	Myself	Oppose	No
Babb Julie	State Agency Staff	Myself	Oppose	No
Jackson Michelle	A Member of the Public	Myself	Oppose	No
Shea Eric	A Member of the Public	Myself	Oppose	No
Sylvernale Timothy	A Member of the Public	Myself	Oppose	No
McConnell James	A Member of the Public	Myself	Oppose	No
VanPatten Joel	A Member of the Public	Myself	Oppose	No
STELLA GLEN	A Member of the Public	Myself	Oppose	No
Canavan Elizabeth	A Member of the Public	Myself	Oppose	No
Parsons Zach	A Member of the Public	Myself	Oppose	No
Buckley Peter	A Member of the Public	Myself	Oppose	No
Reuter John	A Member of the Public	Myself	Oppose	No

Sybert Jillian	A Member of the Public	Myself	Oppose	No
Noyes Kevin	A Member of the Public	Myself	Oppose	No
osborne Joseph	A Member of the Public	Myself	Oppose	No
Lordan William	A Member of the Public	Myself	Oppose	No
Manuel Brenna	A Member of the Public	Myself	Oppose	No
Davis Roger	A Member of the Public	Myself	Oppose	No
Cook Andrew	A Member of the Public	Myself	Oppose	No
Foster Peter	A Member of the Public	Myself	Oppose	No
Parker Mason	A Member of the Public	Myself	Oppose	No
Ewing Jared	A Member of the Public	Myself	Oppose	No
Teixeira Luis	A Member of the Public	Myself	Oppose	No
Sparklin William	A Member of the Public	Myself	Oppose	No
Lovett Rob	A Member of the Public	Myself	Oppose	No
Bowers Spec	A Member of the Public	Myself	Oppose	No
Mason Richard	A Member of the Public	Myself	Oppose	No
Marsh William	An Elected Official	Carroll 8	Support	No
Groves Daniel	A Member of the Public	Myself	Oppose	No
Knight Marian	A Member of the Public	Myself	Oppose	No
graustein alan	A Member of the Public	Myself	Oppose	No
Olson Stephanie	A Member of the Public	Myself	Oppose	No
St. Pierre Maria	A Member of the Public	Myself	Oppose	No
Olson William	A Member of the Public	Myself	Oppose	No
Ochieng Heather	A Member of the Public	Myself	Oppose	No
Wied Alex	A Member of the Public	Myself	Oppose	No
Schippani Jonathan	A Member of the Public	Myself	Oppose	No
Minery Caren	A Member of the Public	Myself	Oppose	No
Minery Jeremy	An Elected Official	Myself	Oppose	No
sweet wayne	A Member of the Public	Myself	Oppose	No
Stock Ron	A Member of the Public	Myself	Oppose	No
McGregor Mary	A Member of the Public	Myself	Oppose	No
Burwell Melinda	A Member of the Public	Myself	Oppose	No
deAlmeida Ken	A Member of the Public	Myself	Oppose	No
Silveira Maria	A Member of the Public	Myself	Oppose	No
Burwell John	A Member of the Public	Myself	Oppose	No
Dorso Nicholas	A Member of the Public	Myself	Oppose	No
Underwood Ian	An Elected Official	Myself	Oppose	No
Torres Christopher	A Member of the Public	Myself	Oppose	No
Casey John	A Member of the Public	Myself	Oppose	No
Schofield Kim	A Member of the Public	Myself	Oppose	No
Schneider David	A Member of the Public	Myself	Oppose	No
LeBaron Marie	A Member of the Public	Myself	Oppose	No
Arnesman Brian	A Member of the Public	Myself	Oppose	No
Schofield Kevin	A Member of the Public	Myself	Oppose	No

# Testimony

## **Cameron Lapine**

---

**From:** Michelle Wilson Folan <playfulwilfol@gmail.com>  
**Sent:** Tuesday, February 16, 2021 1:32 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss;  
Cameron Lapine  
**Subject:** OPPOSE SB155-FN

I strongly oppose SB155-FN.  
These emergency orders should not be codified into law.

Michelle Folan  
Mont Vernon, NH

## **Cameron Lapine**

---

**From:** Russell Payne <russandmamie@icloud.com>  
**Sent:** Tuesday, February 16, 2021 7:26 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB155

To All Members of the Senate Executive Department Executive Committee:

I urge your strong opposition to SB 155. This bill flies in the face of constitutional liberty, and reeks of totalitarianism. Allowing the Governors emergency orders to be written into permanent law without representation of "we the people", the advice of Congress is not a wise move, it destroys the foundation of liberty with an executive mandate that was not created in the NH legislature. These emergency laws are created by Executive unconstitutional power and are completely wrong. All these emergency laws come from I believe the federal mandate "Emergency Law 76." Where are the "checks and balances" to prevent abusive federal power overreach if the NH Senate becomes a rubber stamp for the Biden Administration?

Sincerely & Respectfully

Russ Payne

## Cameron Lapine

---

**From:** Russell Payne <russandmamie@icloud.com>  
**Sent:** Tuesday, February 16, 2021 7:26 PM  
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**From:** Michelle Wilson Folan <playfulwilfol@gmail.com>  
**Sent:** Tuesday, February 16, 2021 1:32 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** OPPOSE SB155-FN

I strongly oppose SB155-FN.  
These emergency orders should not be codified into law.

Michelle Folan  
Mont Vernon, NH



163 Water Street, Exeter, NH 03833

March 9, 2021

Executive Departments and Administration Committee  
New Hampshire General Court

Re: Support for SB 155

Honorable Chair Carson, Vice-Chair Reagan and Members of the Committee:

Vino e Vivo LLC is a wine bar and restaurant located at 163 Water Street in Exeter, NH. We fully support SB 155 as an important action in helping the financial sustainability of the State of New Hampshire's restaurants and retention of their employees.


Vino e Vivo opened in July of 2018 and experienced steady growth in our business and staffing until March of 2020, when we closed to indoor dining. Under Governor Sununu's Executive Order authorizing outdoor dining and working with the Town of Exeter, we were able to quickly establish outdoor dining and increase our staffing to pre-Covid levels and increase revenues significantly. However, once outdoor dining ended due to the onset of winter weather, we were forced to furlough over half of our employees.

Given the restrictions on indoor dining that still exist, we believe that outdoor dining will be a vital part of our business for the next few years and enable us to maintain and perhaps even grow our staffing and revenues. We strongly support extending the authorization of outdoor dining contained in SB 155.

Further, we are the holder of a retail wine license and have added to our Covid revenues with the sale of retail wine to our guests. Given that some of our customers are not comfortable entering into indoor spaces, curbside delivery is an important service for us to offer. The authorization of curbside delivery through 2023 will enable us to maintain this important source of revenue.

Again, we fully support the passage of SB 155. Thank you for your consideration of these comments.

Respectfully submitted,

  
Anthony M. Callendrello  
Owner/Manager, VINO e VIVO LLC

## **Cameron Lapine**

---

**From:** Kellie Gear-Cota <kgearcota2014@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 7:40 PM  
**To:** Sharon Carson; Cameron Lapine  
**Subject:** SB 155

To Whom It May Concern,

I am sending you this email in opposition to bill SB 155. This bill is unconstitutional, unlawful and nothing more than a New World Order communistic law to take control and freedom from we the people. It should be considered dead on arrival!!!

If passed this bill will kill our freedoms and economy as we once knew them. This once great state of New Hampshire will be nothing more than a state of old, history!!

Please do the right thing and vote NO on this communistic bill!!

Respectfully,  
Kellie (concerned citizen)

Sent from Yahoo Mail on Android

## Cameron Lapine

---

**From:** Dan Lowry <danlowry@comcast.net>  
**Sent:** Tuesday, February 16, 2021 7:43 PM  
**To:** Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The Governor's over reach has been unprecedented in NH. Do not codify this autocratic abuse of the people's rights.

Thank you.

Dan Lowry  
511 Ocean BLVD, Unit 2, Hampton NH 03842

## **Cameron Lapine**

---

**From:** Kellie Gear-Cota <kgearcota2014@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 7:40 PM  
**To:** Sharon Carson; Cameron Lapine  
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Please do the right thing and vote NO on this communistic bill!!

Respectfully,  
Kellie (concerned citizen)

Sent from Yahoo Mail on Android

**Cameron Lapine**

---

**From:** Wendy Durrett <agcpss@gmail.com>  
**Sent:** Tuesday, February 16, 2021 7:56 PM  
**To:** Cameron Lapine  
**Subject:** OPPOSE SB 155

To Whom it may concern:

I am writing to oppose SB 155 as any and all unnecessary emergency orders made by Gov. Sununu should NOT be allowed to become permanent laws. This is absurd and unconstitutional.





This nation is to be run by we, the people, who elected officials into office to protect citizens, not harm them. Many of Gov. Sununu's emergency orders have done irreparable damage to the citizens of this state.

Respectfully,

Wendy Durrett  
Greenfield, NH 03047

## Cameron Lapine

---

**From:** Rick & Toini Seppala <ricktoini@hotmail.com>  
**Sent:** Tuesday, February 16, 2021 8:02 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:**   Oppose SB 155  

I trust that you will represent the great people of the great state of NH and oppose SB 155!!  
Thank you for keeping NH the Live Free or Die state on your watch!!!

## Cameron Lapine

---

**From:** Rick & Toini Seppala <ricktoini@hotmail.com>  
**Sent:** Tuesday, February 16, 2021 8:02 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** 🗳️🗳️🗳️ Oppose SB 155 🗳️🗳️

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Respectfully,

Wendy Durrett  
Greenfield, NH 03047

## Cameron Lapine

---

**From:** Heather Ochieng <heatherochieng@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 8:10 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Cc:** Jeb Bradley  
**Subject:** opposition to SB 155

Dear N.H. Senate Committee on Executive Departments and Administration,

I would like to respectfully express my opposition to SB 155. In my opinion setting this legal precedent allows the government to ignore people's rights and civil liberties, as it is in a position to make unilateral decisions about how people should live no matter what their circumstances or situation.

The pandemic has shed light on just how detrimental public health policies have been – how the negative impacts have far outweighed any sort of benefits. And the scary part is yet to come...no, not the virus, but the increase in the real disease killers (cancer, heart disease, etc.), the toll on mental health including suicides & depression, drug abuse, poverty levels, health damage from long-term mask wearing, domestic and child abuse, educational deficits, the list goes on.

Back in November, Tom McClintock - R- California, summed it up well in his speech (some excerpts below) –

"[We need to] make our own decisions over what risks we are willing to run and what precautions we're willing to take according to our own circumstances to protect our own health."

..."Every time we step outside, we face multiple risks. A free society assumes its citizens are competent to assess those risks, balance them against the avoidance costs and to manage their decisions in a generally responsible way. It's called commons sense. And it's a necessary pre-requisite for self-government and liberty."

..."Only a fool would claim the omniscience to make an informed judgement for every person in every circumstance in every community. And sadly, this crisis has revealed that fools about in public office and that a fool with power can quickly become petty tyrant."

..."These government nannies love to tell us that they are just following the science. Well, what does the science actually tell us? It tells us..." > full speech on Twitter - <https://twitter.com/pdubdev/status/1329539404755419138?s=20>

Although representing the people of CA, his words are applicable across the nation. Please take into consideration my input regarding SB 155.

Thank you, God bless,

Heather Ochieng  
Hudson, NH  
*Live Free or Die*

## Cameron Lapine

---

**From:** Heather Ochieng <heatherochieng@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 8:10 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
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..."Only a fool would claim the omniscience to make an informed judgement for every person in every circumstance in every community. And sadly, this crisis has revealed that fools about in public office and that a fool with power can quickly become petty tyrant."

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Although representing the people of CA, his words are applicable across the nation. Please take into consideration my input regarding SB 155.

Thank you, God bless,

Heather Ochieng  
Hudson, NH  
*Live Free or Die*

## Cameron Lapine

---

**From:** Cheryl <Cheryl.Fyfe@comcast.net>  
**Sent:** Tuesday, February 16, 2021 8:04 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear NH Senate Committee,

I choose to live in NH the “Live Free or Die” state because I enjoy living freely.

The “Plandemic” has run it’s course and ruined enough peoples lives. I STRONGLY ENCOURAGE YOU to OPPOSE this bill.

If the bill passes be prepared for a huge reduction in population as people move to states whose governor & elected officials DON’T LIVE IN FEAR AND ALLOW PEOPLE TO MAKE THEIR OWN DECISIONS.

Respectfully,

Cheryl Fyfe  
Pelham, NH

## Cameron Lapine

---

**From:** Sally Hughes <shughesgram\_1@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 8:24 PM  
**To:** Cameron Lapine  
**Subject:** Sb155

I am opposed to this bill because when the pandemic is over then we will have no use for these emergency orders. Thank you. Sally hamel  
Sent from Yahoo Mail on Android

## Cameron Lapine

---

**From:** Andy <andywallace25@gmail.com>  
**Sent:** Tuesday, February 16, 2021 8:21 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I'm writing to express my opposition to SB155. New Hampshire should be looking for ways to reopen completely and end the emergency orders not make them law. Cases are down, people are being vaccinated, and we are tired of putting our lives on hold for a virus that has an incredibly high survival rate and doesn't even cause symptoms in a large percentage of people. New Hampshire should approach this like South Dakota and Florida. Individual freedoms should be protected and the government should let people make their own decisions regarding their health and well being. This bill like the emergency orders is government overreach and I'm asking you to reject this bill and work toward ending the emergency orders all together.

Thank you,  
Andrew Wallace  
412 Athol Rd  
Richmond NH 03470

## Cameron Lapine

---

**From:** Shawna Bertram <ShawnaBertram@msn.com>  
**Sent:** Tuesday, February 16, 2021 8:52 PM  
**To:** Cameron Lapine  
**Subject:** Oppose SB 155!!

I am opposed to SB 155. This is unlawful, unnecessary, and needs to stop! Please take a stand for many concerned citizens.

Sent from my U.S.Cellular© Smartphone  
Get [Outlook for Android](#)

## Cameron Lapine

---

**From:** Shawna Bertram <ShawnaBertram@msn.com>  
**Sent:** Tuesday, February 16, 2021 8:52 PM  
**To:** Cameron Lapine  
**Subject:** Oppose SB 155!!

I am opposed to SB 155. This is unlawful, unnecessary, and needs to stop! Please take a stand for many concerned citizens.

Sent from my U.S.Cellular© Smartphone  
Get [Outlook for Android](#)



## Cameron Lapine

---

**From:** Taci Guven <eroltaci@comcast.net>  
**Sent:** Tuesday, February 16, 2021 8:30 PM  
**To:** Cameron Lapine  
**Subject:** SB 155

Good day Cameron,

I registered to show my opposition to the Bill. I didn't check the box to testify however the last page asked me to send my testimony.

Just wanted to clarify that I didn't chose to testify.

Thanks  
Taci Guven

Sent from my iPhone

## Cameron Lapine

---

**From:** J. Wester <wester.j@protonmail.com>  
**Sent:** Tuesday, February 16, 2021 8:57 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Oppose SB155

I am dismayed that the governor's emergency orders are being considered to become NH law. Most violate our state Constitution. They have crippled and handicapped our economy and the education of children around the state. His state of emergency orders have been based on covid "cases" for the second half of the year as opposed to hospital capacity and/or deaths and we just learned that the test cycles are being run at the maximum amount - far too high, according to the WHO on Jan 20, 2021, thus likely inflating the case numbers with false positives that have led to more and more restriction on NH citizens. It fundamentally changes some of the great things NH is known for, such as the town hall meeting.

Do not support this action, please. Granite Staters deserve the respect to make such decisions themselves and on a town by town basis. Live free or die!

Jessica Wester

Sent with [ProtonMail](#) Secure Email.

## Cameron Lapine

---

**From:** rkqueenie@aol.com  
**Sent:** Tuesday, February 16, 2021 8:59 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I oppose SB155

Rosemary Landry  
pobox1162  
Meredith, NH  
6032797458

## Cameron Lapine

---

**From:** J. Wester <wester.j@protonmail.com>  
**Sent:** Tuesday, February 16, 2021 8:57 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Oppose SB155

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Jessica Wester

Sent with [ProtonMail](#) Secure Email.

## **Cameron Lapine**

---

**From:** Exposing the LieYT <amaltais09@gmail.com>  
**Sent:** Tuesday, February 16, 2021 9:03 PM  
**To:** Cameron Lapine  
**Subject:** In regards to SB155

The governor has failed the state of NH. He has enacted executive order after executive failed order and it has done nothing to mitigate the spread of covid-19 to our seniors who have predominately become casualties of "governor" Sununus failed and failing policies.

We know based off of NH data, that 71% of deaths are occurring in long term nursing facilities. Interestingly, about one month ago it was 81%. I am curious to know the explanation behind that.

We know that 0 zero children have been casualties. We know that the most at risk population is anyone over 60 and the mortality rises as age increases and if they are RESIDENTS OF LONG TERM CARE FACILITIES. Again, this can all be found on the nh.gov website.

There is NO scientific reasoning for any of these orders. We only have to look to Florida to see that.

I have asked various "governmental" agencies to provide me with ANY scientific data they have utilized to make these ridiculous, frivolous decisions that have WRECKED people's lives. Since July, they have refused, as they informed me that they merely copy and pasted from other federal government agencies- their words. NO DUE DILIGENCE WAS DONE BY ANY OF THESE AGENCIES TO WARRANT THE DRASTIC MEASURES THAT HAVE BEEN TAKEN.

The ramifications of these unscientific, UNCONSTITUTIONAL orders will only be known in the future.

DO NOT GIVE THE FAILED GOVERNOR ANY MORE POWER. Instead you should be stripping him of ANY executive decision making power. He is completely incompetent and I have no faith in his ability to govern.

And I voted for him, regretfully.

Thank you for your time.

Amy Maltais  
Kingston, NH

Sent from my iPhone

## Cameron Lapine

---

**From:** Deanne Sanville <thelilacdragonfly@icloud.com>  
**Sent:** Tuesday, February 16, 2021 9:12 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** my thoughts on SB 155

Dear Committee members,

About 21 years ago, our family decided not to move back to Vermont, the state of both my parents' roots for generations and where my mom grew up, due to the increasing move toward socialism and overbearing government that we could see taking place. Instead we chose to move to the state where my dad grew up, the "Live Free or Die" state.

I have watched New Hampshire move more and more in the direction Vermont has chosen during these years, but the drastic measures taken in the past year, based on questionable claims, media hype, and draconian government overreach, have been appalling. Personal liberty and freedom of choice have nearly disappeared while our government functions on fear and top-down dictatorship.

It is ironic to me that so many who, not so long ago, claimed to believe in "freedom of choice" when it comes to life and death issues, would now like to dictate to others what to wear on their faces, how close to get to other people, what to put into their bodies, and more.

I have foreseen for years that the medical industrial complex (government/insurance companies/pharmaceutical companies/AMA) would be involved in the eventual dissolution of liberty. It is happening before our eyes, along with some other big players.

Over the past year, Sununu has acted like a dictator. Many of us have repeatedly protested against his unconstitutional actions. He has ignored us and has continued to defy the constitutional description of his duties.

The fact that the legislature is now considering officially making Sununu's ridiculous decrees part of New Hampshire law is appalling to me.

This bill should be gotten rid of as soon as possible. Passing it would be a further assault on personal liberty, which is so infringed upon already that it seems more like bondage. (The only way we can consider ourselves free is to compare ourselves with others who are even less free.) It would be a great insult to those who fought for our liberty and to those who have tried to maintain it in the years since.

I hope you will all consider what you will leave to the coming generations and that you will choose more liberty, not less.

Sincerely,  
Deanne Sanville  
Acworth, New Hampshire

"Breathe Free or Die"

## Cameron Lapine

---

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**Sent:** Tuesday, February 16, 2021 9:12 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss;  
Cameron Lapine  
**Subject:** my thoughts on SB 155

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Sincerely,  
Deanne Sanville  
Acworth, New Hampshire

"Breathe Free or Die"

## Cameron Lapine

---

**From:** Exposing the LieYT <amaltais09@gmail.com>  
**Sent:** Tuesday, February 16, 2021 9:03 PM  
**To:** Cameron Lapine  
**Subject:** In regards to SB155

The governor has failed the state of NH. He has enacted executive order after executive failed order and it has done nothing to mitigate the spread of covid-19 to our seniors who have predominately become casualties of "governor" Sununu's failed and failing policies.

We know based off of NH data, that 71% of deaths are occurring in long term nursing facilities. Interestingly, about one month ago it was 81%. I am curious to know the explanation behind that.

We know that 0 zero children have been casualties. We know that the most at risk population is anyone over 60 and the mortality rises as age increases and if they are RESIDENTS OF LONG TERM CARE FACILITIES. Again, this can all be found on the nh.gov website.

There is NO scientific reasoning for any of these orders. We only have to look to Florida to see that.

I have asked various "governmental" agencies to provide me with ANY scientific data they have utilized to make these ridiculous, frivolous decisions that have WRECKED people's lives. Since July, they have refused, as they informed me that they merely copy and pasted from other federal government agencies- their words. NO DUE DILIGENCE WAS DONE BY ANY OF THESE AGENCIES TO WARRANT THE DRASTIC MEASURES THAT HAVE BEEN TAKEN.

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And I voted for him, regretfully.

Thank you for your time.

Amy Maltais  
Kingston, NH

Sent from my iPhone



## **Cameron Lapine**

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**From:** Sherry Beaudoin <sherrybeaudoin@metrocast.net>  
**Sent:** Tuesday, February 16, 2021 9:22 PM  
**To:** Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Opposed, Open up our state! Stop trying to make these unconstitutional orders permanent.

Sherry Beaudoin

## Cameron Lapine

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**From:** Melanie Steenbeke <edswife4life@msn.com>  
**Sent:** Tuesday, February 16, 2021 9:19 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello,

I do not support this bill. I disagree with making these emergency orders law. We need to get back to normal life and not live in fear.

Get rid of mask mandates and put kids back in school where they belong.

I have an 8 year old who suffers greatly being remote. Kids need peers, teachers and socialization!

Thank you

Melanie

Sent from my iPhone

## Cameron Lapine

---

**From:** Alex <amennella1@protonmail.com>  
**Sent:** Tuesday, February 16, 2021 9:54 PM  
**To:** Cameron Lapine; Sharon Carson; John Reagan; Suzanne Prentiss; Denise Ricciardi; Kevin Cavanaugh  
**Subject:** SB155 Opposition

To the Executive Departments and Administration Committee,

I'm writing as a member of the public to oppose SB155, which seeks to codify provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

I understand the good intentions behind this bill and your desire to protect the public, but we didn't ask you for your help. The 'help' that was forced on us has created a world of human torture and suffering, which you fail to realize because you believe you're smarter than God.

When you force people to put up barriers, physically distance, and to wear masks in their day-to-day lives, this is not 'science' or 'progress'. This is deliberately defying human nature because you think it can be molded to your own will. When you let 'science' and faulty data models be your sole guide, rather than God and basic morals, you create a depraved and divided society, where you're able to justify the worst authoritarian and inhumane policies in history, because you believe you're saving lives.

**None** of this should be codified into law. Instead I urge you to pass a bill that prevents such 'emergency orders' from ever being enacted again and that seeks to uphold the US Bill of Rights with no exceptions.

This is not the first pandemic and it's not the last. We cannot (and we won't) continue on with this 'new' precedent of treating people like science experiments. Get the kids back in school, hold general court in person, and stop forcing businesses to torture their patrons. We're not asking you for help. We're asking (though we shouldn't have to) to be able to make our own decisions regarding personal health and to go about our lives, free from medical tyranny.

Oppose SB155 and urge the governor to end the state of emergency and his mask mandate.

Sincerely,

Alexandra Mennella  
Hooksett

## Cameron Lapine

---

**From:** Alex <amennella1@protonmail.com>  
**Sent:** Tuesday, February 16, 2021 9:54 PM  
**To:** Cameron Lapine; Sharon Carson; John Reagan; Suzanne Prentiss; Denise Ricciardi; Kevin Cavanaugh  
**Subject:** SB155 Opposition

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Oppose SB155 and urge the governor to end the state of emergency and his mask mandate.

Sincerely,

Alexandra Mennella  
Hooksett

## **Cameron Lapine**

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**From:** Cheryl Ducharme <c\_ducharme110@yahoo.com>  
**Sent:** Tuesday, February 16, 2021 9:26 PM  
**To:** Sharon Carson; Cameron Lapine  
**Subject:** SB 155

Hello:

I incorrectly filled out an on-line form. I do not wish to testify. But, as a New Hampshire resident I strongly oppose this bill. There is no excuse to further impede our freedoms.

Regards,  
Cheryl Ducharme  
Raymond, NH

Sent from Yahoo Mail on Android

## Cameron Lapine

---

**From:** Tyanne Sylvestre <tyanne@durhamdc.com>  
**Sent:** Tuesday, February 16, 2021 10:38 PM  
**To:** Jeb Bradley  
**Cc:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Oppose Bill SB155

Senator Bradley,

As a certified sport physician I **vehemently oppose bill SB155** that is coming up tomorrow, February 17, 2021 at 10:30am. I believe you are aware of the unconstitutionality of pursuing this avenue of law making. **I do not consent to lawmaking in this way and I do not consent to SB155.**

It is unacceptable to have this kind of government over reach for any decisions especially healthcare. You are a lawmaker. Not a doctor or healthcare provider. Your job is not to mandate, choose or force our healthcare choices upon us. Your job is to represent us.

The state cannot and should not insert itself into healthcare choices of New Hampshire citizens. That is a gross over reach and abuse of governmental power.

These vaccines are experimental at best. It is NOT safe to enforce the population to be vaccinated.

Also I'll point out, it would be fiscally irresponsible to legislate a medical decision that is ethically and morally out of your realm, given the amount of side effects and deaths these vaccines are incurring. The state could be open to many exorbitant lawsuits for vaccine injury, and quite possibly the lawmakers as well. If you are unaware of vaccine injury, may I suggest you familiarize yourself with it by tomorrow morning. It ruins lives. Merck Pharmaceutical has discontinued their vaccines due to the amount of adverse effects, and made the statement that the best way to deal with Covid is to contract it and recover from it.

These vaccines contain mRNA and other DNA that have not had proper scientific long term testing to determine long term effects on the human body. Making vaccine mandatory is reckless endangerment and negligence on the part of lawmakers. Even Mark Zuckerberg knows these vaccines have not undergone proper testing and to be cautious and highly suspect of these vaccines. When Mr. Zuckerberg knows, the information has become common knowledge. Also please note that I **vehemently oppose HB 75, 604, 95, 63, 255, 131, 94, 365, 132.**

I very much support House Bills: 63, 187, 220, 221, 592, 20.

I intend to attend by zoom tomorrow.

Thank you for your time.

Dr. Tyanne Sylvestre

## Cameron Lapine

---

**From:** Paula Johnson <pij53@aol.com>  
**Sent:** Tuesday, February 16, 2021 10:49 PM  
**To:** Cameron Lapine  
**Subject:** Senate Bill 155

Please enter my comments into the record for the public hearing and please give a copy of my testimony to Senator Jeb Bradley.

Thank you.

## **I'm in opposition of Sen. Bradley's SB 155 in an effort to Write Emergency Orders Into Law**

I would like to state that many of Gov. Sununu's executive orders are unlawful and unnecessary. We don't need to have any of the emergency orders to be written permanently into law, which includes 1) provisions to allow remote or hybrid learning

2) to allow cities and towns to legally impose local mask and social distancing ordinances,

3) to give the health commissioner authority to appoint people to the ethics committee that controls administration of vaccines,

4) to mandate vaccines to all whether you want to take the vaccines that are experimental (under the Nuremberg Treaty, Crimes to humanity.)

5) to allow public meetings to be held remotely,

6) to allow officials to be sworn in remotely, among other things.

7) to allow our basic rights and freedoms under the constitution that all took the oath of office to uphold and not to take our freedoms away

8) The governor and the house and state were elected to do, the people's work but not to take our freedoms away with mandates, lockdowns and the inability to be allowed into the people's house or legislative buildings to attend meetings because our elected officials are still in remote when they should be back at work like many business are.

The house and senate are supposed to be leaders like the governor but I and many others have found that your ability to stop all public meetings even with social distancing and masks are out of control. If I can be back to work since June working in retail you all can get back to the state house and figure out your mess.

We the people are speaking loud and clear that we are fed up with our government, the governor and the lack of caring for us and businesses.

Very truly yours,

Paula Johnson

Former NH State Representative



Sent from my iPad

## Cameron Lapine

---

**From:** Sylvia Smith <5thestate.celt@gmail.com>  
**Sent:** Tuesday, February 16, 2021 11:02 PM  
**To:** Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A former health journalist, who's witnessed the tail ends of the TB and Polio epidemics during my lifetime, I believe it is time that we learn from history and return to common sense where public health is concerned. We don't need emergency measures written into law as proposed by SB155 in order to handle pestilence, which we as a people have dealt with many times in the past. The Wu Flu is a bad flu but not as deadly as the 1918 flu which killed many young people. We did not shut down our country then and there's no need to continue these shut-down policies now. These arbitrary measures appear to be inflicting more harm to our ability to make a living than to curbing the spread of the virus.

When the WuFlu first appeared in America, the government should have said, "We don't know much about this new coronavirus, but as soon as we get verifiable information we will pass it on to you. In the meantime, use common sense measures to protect vulnerable populations and limit exposure to crowds. Instead, mixed messages about masks, how it spreads, etc. eroded public trust in the CDC. Wild tales, such as the virus can live nine days on stainless steel fanned fear.

Teams of international physicians and our own Frontline Doctors have pointed out that this flu is not the foe it was originally thought to be. It is time to do what we have done throughout our history -- carry on and tough it out. We must end the anti American mandates and controls and do what we do best -- rise to the challenge of providing for our families, despite the virus.

The Wu Flu is going to continue until enough of the population gets it to reach herd immunity. Some people with underlying issues may die from it. But regular flus are also fatal to many. However, it would help if all the deaths that have happened since the Wu Flu hit here weren't ALL reported as caused by the WuFlu. This really raises eye brows.

A free people will cope with the virus. But government mandates destroying their means of making a living and their personal freedoms are not as easy to deal with. Please take this into consideration and oppose this bill.

Sincerely,  
Sylvia Smith  
264 Slate Ledge Rd.  
Littleton, N.H. 03561

## Cameron Lapine

---

**From:** Tyanne Sylvestre <tyanne@durhamdc.com>  
**Sent:** Tuesday, February 16, 2021 10:38 PM  
**To:** Jeb Bradley  
**Cc:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Oppose Bill SB155

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I very much support House Bills: 63, 187, 220, 221, 592, 20.

I intend to attend by zoom tomorrow.

Thank you for your time.

Dr. Tyanne Sylvestre

## **Cameron Lapine**

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**From:** Online Registration <martinsonline@comcast.net>  
**Sent:** Tuesday, February 16, 2021 11:40 PM  
**To:** Cameron Lapine  
**Subject:** Opposition to SB155

I have seen zero scientific evidence, only biased entrenched assumptions, that mask mandates or other anti social anti human anti child anti business efforts actually help.

The science is suppressed and censored, and the isolation and fear imposed by the supposed experts; the ones who offer zero scientific evidence in support of their expansion of govt overreach, is then used to justify their own preferred positions.

The unnecessary extension foes harm yo our Family businesses, our children and society, yet benefit large preferred corporations.

Continued efforts seem to be a breach of public trust.

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## **PBMs Are Taking Action to Promote Patient Access to Prescription Drugs During the COVID-19 Pandemic**

*During this time of public health emergency, pharmacy benefit managers (PBMs) are taking action and recommending multiple approaches to help the patients we serve stay safely at home through reliable, convenient access to their needed prescription drugs.*

### **Facilitating Reliable, Convenient Access to Needed Prescription Drugs**

**PBMs are committed to helping the patients we serve stay at home safely with reliable, convenient access to their needed prescription drugs.** PBMs recognize that home delivery can provide an alternative way of safely accessing needed maintenance medications and other prescription drugs. Some PBMs, in partnership with health plans and pharmacies, are making home delivery more accessible, including by:

- Providing home delivery of prescriptions at no additional cost;
- Working with pharmacy partners to assist with mailing prescriptions; and
- Supporting social distancing recommendations by allowing pharmacists to service their normal patients through home delivery of prescription drugs.

### **Promoting Safety of Patients and Pharmacy Staff**

**PBMs recognize home delivery can provide an alternative way of safely accessing prescribed medications. To promote expanded access to home delivery, PBMs are temporarily waiving requirements for pharmacies to obtain proof-of-receipt signatures from patients, unless required by law.**

Because of the high transmission risk posed by the novel coronavirus (COVID-19), proof-of-receipt requirements may represent an unintentional pathway for pharmacy professionals, patients, and mail carriers alike. PCMA recommends states, including their Boards of Pharmacy or Medicaid agencies, as appropriate, temporarily waive proof-of-receipt/delivery requirements and instead consider:

- Permitting the practice adopted by several PBMs and health plans of allowing pharmacists to write "COVID-19" in the signature box; or
- Mirroring New York's Medicaid Pharmacy Guidance that allows pharmacies to confirm delivery through phone call, text, or email, in lieu of a signature.

PCMA also recommends the Centers for Medicare & Medicaid Services issue guidance to states clarifying that they may temporarily relax signature log and similar requirements (relating to delivery) without program integrity or audit repercussions. While not expressly required under federal Medicaid regulations, many states' Medicaid signature requirements were established in response to program integrity concerns and to demonstrate services billable to Medicaid were delivered.

### **Helping to Keep the Drug Supply Chain Functioning Well**

**To minimize impacts on patient care associated with drug shortages, PBMs are leading cross-industry collaboration, including with pharmaceutical manufacturers, pharmacies, hospitals, and health plans, to facilitate Americans' continued access to a safe, effective, and reliable supply of prescription drugs.** If a shortage or supply disruption for a specific medication does occur, PBMs will work with the patient, their prescriber, and their health plan to identify a covered therapeutic substitute and help minimize patient impact caused by a shortage.



**To avoid worsening any potential shortages or supply disruptions, not only of medications to treat COVID-19 but other essential prescription drugs, PCMA recommends federal, state, and local government leaders:**

- Urge patients to consider their personal circumstances, and if needed, consult their health care prescriber or pharmacist if they feel they need an early refill or other flexibilities;
- Avoid policies that may have an unintended impact on the supply of pharmaceuticals in the United States (e.g., stockpiling or hoarding);
- Issue clinical guidelines for health care providers to ensure that patients who have been on therapies for FDA-approved indications prior to the spread of COVID-19 still have appropriate access, as well as those with COVID-19;
- Require greater and more timely reporting of shortages and/or supply disruptions, recognizing real-time data allows for the most optimal management of any disruptions to existing supplies, including to minimize patient impact; and
- Allow PBMs and health plans to consider individual patient needs and clinical guidelines, particularly in cases where a greater supply is medically inappropriate and potentially unsafe.

### **Promoting Pharmacy Staffing Flexibility**

**To help facilitate access to our nation's nearly 70,000 retail pharmacies,** PBMs are actively providing information to RxOpen, a central hub created after Hurricane Katrina to help promote uniform, consistent supply-chain information for stakeholders. PBMs also are supporting policy solutions that ease operational barriers and help empower pharmacy professionals to support our nation's COVID-19 response.

**PCMA echoes the recommendations of the National Association of Chain Drug Stores, National Community Pharmacists Associations, National Alliance of State Pharmacy Associations, and others in asking states or their Boards of Pharmacy to provide pharmacy professionals and others facilitating access to pharmacy care with increased workflow flexibility,** including by:

- Allowing pharmacists and pharmacy technicians with valid licenses/certifications to temporarily operate across state lines;
- Authorizing pharmacists and pharmacy staff to conduct routine pharmacy tasks remotely when the technology allows, including those licensed outside the state and including technicians, so long as their work is verified electronically by the supervising pharmacist;
- Issuing licensing waivers and expediting conditional approval for pharmacy technician duties;
- Waiving pharmacy technician ratios or allowing the supervising pharmacist to expand the ratio at their discretion; and
- Ensuring pharmacy professionals are designated essential personnel.

### **Focusing Pharmacy Audits on Areas of Greatest Need**

**During this time of public health emergency, PBMs know the importance of pharmacies remaining focused on providing patient care.** PBMs believe there needs to be a balance between helping pharmacies manage the influx of COVID-19 related patient needs and continuing to serve employer, health plan, and government clients – including helping to prevent fraud, waste and abuse, and not neglect or inadvertently exacerbate other public health concerns, such as the opioid crisis.

Consistent with state and federal government agencies, pharmacies, and clients, many PBMs are limiting routine pharmacy audits, unless required by law or as a result of certain fraud, waste, and abuse investigations.



2/25/2021

The Honorable Sharon Carson, Chair  
107 N Main St.  
Room 103  
Concord, NH 03303

**RE: Opposition to SB 155 An act codifying provisions included in select emergency orders issued by the governor in response to the Covid-19 pandemic**

Dear Chair Carson, and Members of the Committee,

On behalf of the Pharmaceutical Care Management Association (PCMA), we greatly appreciate the opportunity to provide comments on SB 155 relating to Pharmacy Benefit Managers. We respectfully oppose SB 155, specifically the lack of repeal of Section 12, and request the committee to consider our comments in the interest of payors and patients.

PCMA is the national trade association representing America's Pharmacy Benefit Managers (PBMs), which administer prescription drug plans for more than 266 million Americans with health coverage provided through Fortune 500 employers, health insurance plans, labor unions, and Medicare Part D. PBMs are engaged by clients including health insurers, government agencies, unions, school districts, and large and small employers, to manage pharmacy benefits pursuant to health insurance benefits and contracts.

Section 12 prohibits a carrier or PBM from requiring a signature from a patient for a prescription. No testimony was presented to the committee at the hearing to justify making this prohibition permanent. Without justification, and the ability for the health insurance carriers, PBMs and premium payors to respond to the justification, it seems premature to move forward with making this section permanent.

During the current public health emergency, nearly every entity in the prescription drug supply chain has been confronted with unique challenges to ensure patients are able to access prescription drugs reliable and affordably. To minimize the amount of contact with patients, PBMs and health insurance carriers collectively self-imposed the no signature policy and did so not in response to an Emergency Order (see enclosed briefing). Thus this section seeks to codify not an Emergency Order, but a temporarily policy adopted by industry.

Making this policy permanent would increase fraud and waste, ultimately costing premium payors more. A signature confirms that a prescription was filled and then given to a patient. Our members have experienced ample instances of pharmacists filling a prescription and billing for it without the patient actually receiving the prescription. Many of these instances of fraud were ultimately discovered by audit or through other methods. Incidents like these have in fact cost Medicaid and

Pharmaceutical Care Management Association  
325 7th Street, NW, 9th Floor  
Washington, DC 20004  
[www.pcmanet.org](http://www.pcmanet.org)



Medicare tens of thousands of dollars in each case. Undiscovered instances of such fraud makes prescription drug benefits more expensive for employers and taxpayers. Thus the requirement for a signature is a important tool that helps reduce that concern and avoid unnecessary costs.

If the committee chooses to pass this section of the bill, PCMA asks the Senate Executive Departments & Administration Committee to sunset Section 12 of the bill as is the case with the vast majority of this bill.

We stand ready to work with you and your colleagues in the Legislature and I am happy to provide any additional information or answer any questions you may have.

Respectfully,

A handwritten signature in black ink, appearing to read "Sam Hallemeier".

Sam Hallemeier  
Director, State Affairs,  
PCMA

CC: Sen. Jeb Bradley, Sponsor  
Gov. Chris Sununu  
Commissioner Chris Nicolopoulos



## Cameron Lapine

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**From:** cburn2020 <cburn2020@protonmail.com>  
**Sent:** Wednesday, February 17, 2021 12:38 AM  
**To:** Jeb Bradley; Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Oppose SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Legislatures,

I am opposed to SB 155. This Covid-19 does not warrant any further action on the citizens of NH. With a recovery rate of 99.99% from covid-19, with the death count of 1,136 out of 1.3 million citizens = .87% (less than 1%) of our state population of which the majority were in long-term healthcare. This is no more than the flu and unfortunately, people do die!

Please do not continue using bogus information and fear tactics to continue this unlawful practice of Executive Orders and Mandates. Mandates are not Laws and neither should this proposed SB155 become one. You are choosing to be ignorant of this so called "deadly" virus, when even the NHDHHS has stated it can not isolate this virus, as well as, the CDC and WHO. So, if these agencies state they can not isolate the virus, how can one test for this virus? and if one can not isolate this virus, how can one create a vaccine? Do the research and educate yourselves.

Enough is enough! Please do not consider this bill and open our state!

Sincerely,

Claudine Burnham

Sent with [ProtonMail](#) Secure Email.

## Cameron Lapine

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**From:** Online Registration <martinsonline@comcast.net>  
**Sent:** Tuesday, February 16, 2021 11:40 PM  
**To:** Cameron Lapine  
**Subject:** Opposition to SB155

I have seen zero scientific evidence, only biased entrenched assumptions, that mask mandates or other anti social anti human anti child anti business efforts actually help.

The science is suppressed and censored, and the isolation and fear imposed by the supposed experts; the ones who offer zero scientific evidence in support of their expansion of govt overreach, is then used to justify their own preferred positions.

The unnecessary extension foes harm yo our Family businesses, our children and society, yet benefit large preferred corporations.

Continued efforts seem to be a breach of public trust.

Get [TypeApp for Android](#)

## Cameron Lapine

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**From:** Tejasinha Sivalingam <LionOfPower@protonmail.com>  
**Sent:** Wednesday, February 17, 2021 1:14 AM  
**To:** Sharon Carson; John Reagan; Denise Ricciardi; Kevin Cavanaugh; Suzanne Prentiss; Cameron Lapine  
**Subject:** Testimony in Opposition to SB155  
**Attachments:** Cancel Covid.pdf; Petition Free The People.pdf

Dear Honorable Senators,

I write in opposition to SB 155.

Simply, the Public Health measures instituted during the Sars-Cov-2 scenario have been destructive and denigrating to mankind and our younger generations. To illustrate this, I will share with you two petitions which have been collecting signatures over the past months because people have felt their lives being severely harmed by the Public Health Measures.

First, is the internationally circulating Cancel Covid Petition asserting that the Public Health measures we have seen during the Sars-Cov-2 scenario have amounted to unethical human experimentation and torture in violation of the Nuremberg Code (also see attached PDF version): <https://www.ipetitions.com/petition/cancel-covid-2>

Second, a petition for redress of grievances filed with the NH House of Representatives citing specific concerns with regards to the Governor's Covid-19 Orders (also see attached PDF version): <https://www.ipetitions.com/petition/free-the-people-NH#commentsundefined>

On a personal note I, as a devout Religious Hindu, have felt religiously persecuted and marginalized from society as there have been no Religious exemptions and very limited accommodations. I literally cannot recall the last time I was inside a store, I think it was in July 2020, because my Religious conscience will not permit me to wear a mask. I find the public measures which have been implemented absolutely repugnant to my religious conscience and destructive to humanity, and they violate my Rights and the very integrity of my being. You may like to watch the video of myself advocating for Religious exemptions to the Plymouth NH mask ordinance: <https://youtu.be/mLz2LCVZRYI?t=1824>. Ultimately, I was told that what Plymouth was doing was not discrimination because they were doing it to all religions. In my opinion "Public Health" has become a new State religion and it is attempting to destroy or subjugate all competing Religious ideologies.

Our Declaration of Independence says it very clearly, "...That to secure these Rights, Governments are instituted among Men..." ALL Rights are to be secured in a positive sum manner.

I sincerely pray that God grants you the wisdom and motivation to return us to the freedom and prosperity we once knew.

Thank you.

Respectfully,

Mr. Tejasinha Sivalingam

Ashland, NH

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**Lokah Samastah, Sukhino Bhavantu!**

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# State of New Hampshire

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

7 Eagle Square, Suite 200

Concord, N.H. 03301-2412

Telephone 603-271-2152 · Fax 603-271-6202

LINDSEY B. COURTNEY  
Executive Director



February 17, 2021

Hon. Sharon Carson  
Chair, Executive Departments & Administration  
State House  
107 North Main Street  
Concord, NH 03301

**Re: Testimony regarding SB 155—codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic**

Good afternoon, Madam Chair, members of the committee:

My name is Lindsey Courtney, Executive Director of the New Hampshire Office of Professional Licensure and Certification, the agency that administers fifty-four occupational licensing boards, councils, and commissions within the State of New Hampshire.

OPLC wishes to express its support of portions of this bill directly impacting OPLC, specifically Section 2 on page 2 (authorizing emergency licensing of medical providers); Sections 3, 4 and 5 on pages 3-5 (authorizing COVID-19 testing and vaccination by pharmacists and pharmacy technicians); Section 13 on page 10 (permitting out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies); and, Section 18 on page 12 (temporary suspending the physical presence and location requirements for a public meeting under RSA 91-A).

When the COVID-19 pandemic began, healthcare providers across the nation quickly moved to a telehealth platform in order to prevent and limit the spread of the virus. Legally, this posed a challenge for the State: as the practice of healthcare is deemed to occur where the patient is physically located, providers who typically provided care for New Hampshire patients in border states (such as Vermont and Massachusetts) suddenly needed a New Hampshire license to continue to legally provide services to those patients, and to receive reimbursement from insurance providers for such services.

Emergency Order #15 authorizes the Office of Professional Licensure and Certification to issue emergency licenses to medical providers who have a license in good standing in another jurisdiction. Rather than grant the authority to issue licenses to individual boards, the

Hon. Sharon Carson  
February 17, 2021  
Page Two

consolidated approach permitted the agency to issue licenses quickly using one, simplified process. Our present timeframe for complete application to licensure is 24 business hours. To date, OPLC has issued over 20,000 emergency licenses, without a fee.

OPLC has encouraged providers with an emergency license to obtain permanent licensure if they intend to continue to practice in this State. One of the most frequent questions we receive is how long the license will last. At present, the emergency order is tied to the State of Emergency, which must be reevaluated every 21 days. Codifying the Office's ability to issue licenses through January 31, 2022, would provide professionals and facilities with predictability as to the license term. To ensure New Hampshire constituents continued to have access to the care they need throughout this pandemic, OPLC fully supports Section 2 of this bill.

Sections 3, 4, and 5 permit pharmacists and pharmacy technicians, with certain training, to administer COVID-19 vaccines and tests. It goes without saying that our pharmacists and pharmacy technicians are trusted partners in the State's effort to quickly and effectively combat COVID-19. Accordingly, OPLC urges your support of Part III of this bill.

Section 13 permits out-of-state pharmacies to ship investigational drugs to clinical trial participants who reside in New Hampshire and who are unable to retrieve the investigational drugs from the out-of-state pharmacy. Essentially, this emergency order arose because there are several New Hampshire patients who typically travel to Massachusetts hospitals for participation in clinical trials, where they receive investigational drugs. When the transition to the telehealth platform occurred, Massachusetts healthcare facilities were seeking to continue to provide such investigational drugs to their patients located in New Hampshire. In order to ensure continuity of care for this vulnerable and limited population, OPLC believes this emergency order must continue during the COVID-19 pandemic.

Finally, Section 18 temporarily suspends the physical presence and location requirements for a public meeting under RSA 91-A. This emergency order has been essential to permitting agency and board business to continue throughout the pandemic. OPLC administers fifty-four boards, with approximately 300 board members. While the agency itself is open to the public and the majority of staff are in the office, OPLC board meetings have operated remotely throughout the pandemic. Not only has this been a safer method to conduct board business, it has actually increased transparency to the public. OPLC and the boards would like to have the option of continuing to hold board meetings remotely, and ask for your support of Section 18 of the bill.

Thank you for the opportunity to provide comments.

Very truly yours,



Lindsey B. Courtney, JD

Executive Director

Office of Professional Licensure and Certification

## Cameron Lapine

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**From:** Tejasinha Sivalingam <LionOfPower@protonmail.com>  
**Sent:** Wednesday, February 17, 2021 1:14 AM  
**To:** Sharon Carson; John Reagan; Denise Ricciardi; Kevin Cavanaugh; Suzanne Prentiss; Cameron Lapine  
**Subject:** Testimony in Opposition to SB155  
**Attachments:** Cancel Covid.pdf; Petition Free The People.pdf

Dear Honorable Senators,

I write in opposition to SB 155.

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Thank you.

Respectfully,

Mr. Tejasinha Sivalingam

Ashland, NH

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***Lokah Samastah, Sukhino Bhavantu!***

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## Cameron Lapine

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**From:** csm <lwrench@twc.com>  
**Sent:** Wednesday, February 17, 2021 4:17 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

IT IS TIME FOR THIS STATE TO GET BACK TO THE BUSINESS OF NORMAL. NO MORE KIDS OUT OF SCHOOL, NO MORE BARS AND RESTAURANTS OPERATING AT 25% CAPACITY, NO MORE FACE MASKS, NO MORE EMERGENCY ORDERS. OVER, DONE, FINI.

I AM VEHEMENTLY OPPOSED TO THIS BILL. IT INFRINGES ON THE CONSTITUTIONAL RIGHTS OF EVERY CITIZEN OF THIS STATE AND REPRESENTS AN UNBRIDLED POWER GRAB.

Cathy Mullen  
Brookfield, NH

Sent from [Mail](#) for Windows 10

## Cameron Lapine

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**From:** Michael Saba <mike.saba@outlook.com>  
**Sent:** Wednesday, February 17, 2021 3:10 AM  
**To:** Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Committing the governor's emergency measures to law is an attack on our freedoms guaranteed in the constitution. It also needlessly grows government, never a good thing. Should we ever be in this situation again, the governor can easily repeat the actions taken to date, especially since the existing documents already created can be referenced and reused. Do not keep complicating our government. Keep it light, fast, and as simple as possible. Furthermore, future scientific improvements may render the content of SB155 completely unnecessary. A different virus in our future may need a completely different response. Reject SB155 knowing that if needed, the intended protections are easily recreated. Thank you.

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## Cameron Lapine

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**From:** Carl Spring <carlspring1953@icloud.com>  
**Sent:** Wednesday, February 17, 2021 7:09 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Morning.

I am asking you to oppose this bill. We the people do not want or need more laws that go against both the state and federal constitution. This is nothing more than a big power grab for politicians Remember and follow our state motto LIVE FREE.

Thanks

Carl Spring  
331 Groton Hollow  
Rumney, New Hampshire  
03266.

Sent from my iPhone

## Cameron Lapine

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**From:** Randy Hebert <firehorse43@yahoo.com>  
**Sent:** Wednesday, February 17, 2021 7:02 AM  
**To:** Cameron Lapine  
**Subject:** Opposition to SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I am opposed to this bill. This bill is unconstitutional, the government is infringing upon our inalienable rights. This is a violation of the Nuremberg code is 1949, all those who participate in this are in violation of those codes and I committing crimes against humanity. Through 91 a request, there is no documentation showing New Hampshire DHHS has any proof of the isolation of SARS Covi2 virus, that's a PCR tests identify this virus or any diagnosis of COVID-19. This needs to end.

Sent from my iPhone

## Cameron Lapine

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**From:** Justin Worthley <jworthley@pittsfieldnh.gov>  
**Sent:** Wednesday, February 17, 2021 7:20 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning, I write to you as a very concerned citizen and law enforcement officer in this state. Over the past year, I have seen this state abuse its power in the name of safety. At first, the precautions were reasonable. Now, they are senseless. Covid-19 is a real illness, but the response to it has been both ineffective and harmful. The data supporting its severity has not been honestly reported since the start of this pandemic. Numerous inaccuracies exist regarding the testing, case numbers, and death numbers. Citizens are having their constitutionally protected rights stripped away over essentially a more transmittable and slightly more aggressive flu strain.

The PCR testing which has been commonly used is not a test designed to detect viral infection. On top of that, the accuracy for that test is exponentially diminished when amplified more than 30 cycles during testing. The "suggested" test rate of 40 or more cycles provides up to a 96% false positive for the PCR test. This was known by the CDC when they issued the guidelines for testing. This is one of the things the state of Florida has addressed legislatively to ensure accuracy. These are the tests we are using to determine school safety, workplace safety, and so on. Why have we somehow forgotten that this illness still has a 99.997% survivability for most any healthy person under 75 years of age? The CDC has admitted in their own documents that merely 6% of the covid deaths reported had passed of only covid. The average co morbidity for the other 94% was 3. As of 1/27/2021 the total national deaths were 21,561 based on that 6%. Those lives are obviously important but not cause for halting our workforce and shuttering businesses.

The total deaths nationwide were up approximately 60,000 people in 2020 from 2019. When you analyze the actual causes of death somehow heart disease, flu, and cancer are lower. This is part of the inaccurate reporting of covid cases and causes of death. When you compare all these numbers, essentially the same amount of people died in 2020 as 2019 when you take account for population inflation. If we were actually in the pandemic that has been advertised by our medical communities and media, these numbers would be exponentially larger.

The mask debate is a polarizing one. Some people believe in them, if they do they should be able to wear them. That said, the mandate is an abuse of power for something that has no effect on this disease. Regardless of opinion, it has been shown time and time again that the surgical masks worn do not effectively prevent transmission of viruses. They are not designed to do so, and clearly state on their packaging. The N-95 masks touted so highly also do nothing as they are not designed to filter exhausted air. Not only are these masks not designed to prevent viral infection, they are not worn in a manner by the public that adheres to any standard. These masks are tossed around, littered in areas, and essentially are paper germ absorbers. Wearing a mask when not ill is not necessary as it has also been proven that covid does not spread asymptotically. Wearing a mask of any kind for extended periods of time is a health risk, since you are re-breathing your carbon dioxide. Carbon dioxide is the vehicle your body uses to exhaust germs. We are making children wear these to attend school and even to play sports. If they were effective I would support them, but the simple fact is they are not. They may provide a feeling of comfort for those who think they work, but the reality is they do not have any scientific effectiveness in preventing disease. This has been tested numerous times throughout the years and written about as many times.

So why are we doing this? Businesses are closed, people are unhappy, children are suffering. Depression, suicide, and drug/alcohol issues were already social issues plaguing this state. We have increased all of these things in response to a disease with 99.997% survivability in the name of.....safety? Every NH citizen is being denied our right to be treated with respect and humanity. Our state offices, courts, schools, and businesses should be open without illegal restrictions. I have seen a lot of senseless pain in the name of the "greater good" over the past year. People are suffering. People are anxious. People need leadership, and I hope you will provide that by standing with the people against SB 155.

-Regards,

Justin Worthley

## **Cameron Lapine**

---

**From:** Shelly McLaughlin <shlmcl@roadrunner.com>  
**Sent:** Wednesday, February 17, 2021 7:28 AM  
**To:** Cameron Lapine  
**Subject:** Bill 155

I and many NH residents are sick and tired of governors making up rules/laws as they wish and IGNORING BOTH the US and STATE CONSTITUTIONS.

Governor Sununu has turned against the constituents who voted for him and has joined the democrats and their thrust to turn our state in to a "Do as we tell you – ignore the Constitutions" state.

We are the UNITED STATES OF AMERICA – not a communist country as the democrats want us to become.

Sent from Mail for Windows 10

## Cameron Lapine

---

**From:** MD Anderson <andemae2@me.com>  
**Sent:** Wednesday, February 17, 2021 7:45 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The emergency executive orders that have been utilized for nearly a year, that have been repeatedly extended and abused by the governor, conflict with the US & NH constitution, trample on the rights of NH citizens. These emergency powers should be severely limited in time and scope by law, not augmented by it.

Sent from my iPhone



## **Cameron Lapine**

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**From:** Shelly McLaughlin <shlmcl@roadrunner.com>  
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**To:** Cameron Lapine  
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Sent from Mail for Windows 10

## Cameron Lapine

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**From:** N Mateychuk <nmmand3@gmail.com>  
**Sent:** Wednesday, February 17, 2021 7:58 AM  
**To:** Cameron Lapine  
**Subject:** SB155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Cameron

I strongly oppose this which seems to allow further and forever overreach by government. We need bills that give our freed

I did not check the box to speak this morning please make sure my name is not on the list.  
Thank you

Nadine Mateychuk

## Cameron Lapine

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**From:** Lisa Sylvester <lisaboncisylvester@gmail.com>  
**Sent:** Wednesday, February 17, 2021 7:55 AM  
**To:** Cameron Lapine  
**Subject:** opposition to SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I am VEHEMETLY opposed to this bill which allows cities and town to legally impose local mask and social distancing ordinances. We are a free country, always have been and always SHOULD remain so.

NH doesn't mandate helmet laws, why in the world would you mandate MASKS? We are the LIVE FREE OR DIE state.

Please do not let this pass.

Lisa Sylvester

## **Cameron Lapine**

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**From:** Mike D. <mdolpies@gmail.com>  
**Sent:** Wednesday, February 17, 2021 8:10 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** No to SB 155

Dear Friends,

For what reason would we need to move "covid law" into "real law?"

Giving towns the power to put social distancing and masks mandates in place?

To force remote and hybrid learning on parents (which clearly does not work for many and really discriminates against at risk children).

Why would you do this? What sort of "control" are you trying to impose on NH Citizens?

Live Free or Die needs to LIVE AGAIN!

Stop this nonsense!

Look at Florida as a model... 20X the population and a state that is allowing citizens the freedom to make their own choices.

ENOUGH!

Thank you,

- Michael Dolpies, Northfield NH

## **Cameron Lapine**

---

**From:** Mike D. <mdolpies@gmail.com>  
**Sent:** Wednesday, February 17, 2021 8:10 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** No to SB 155

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ENOUGH!

Thank you,

- Michael Dolpies, Northfield NH

## Cameron Lapine

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**From:** Ron Roy <rnroy03570@ne.rr.com>  
**Sent:** Wednesday, February 17, 2021 8:07 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I urge all members of the committee to oppose SB 155. This bill is unnecessary and will further erode out freedoms.  
Ronald N. Roy

## Cameron Lapine

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**From:** Sarah Traynor <sarahwriter@yahoo.com>  
**Sent:** Wednesday, February 17, 2021 8:30 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155

>>> Dear Committee Members,

>>> I am shocked to hear about the bill SB 155, and the draconian measures proposed. I would like to know how my 30-year-old son, who has a two-year-old daughter, will ever be able to work again if this bill passes. He is asthmatic and can not wear a mask. He has been out of work and is not eligible for unemployment. What is his recourse if his industry permanently requires masks?

>>> Like me, my son is ZERO percent worried about dying of Covid. I believe we should protect the people that are vulnerable, and let the rest of us get on with our lives in a normal manner. The risk of dying of this disease is so minuscule it's ridiculous. We work hard at being healthy, and we should not be punished for this. If this disease is so deadly, then the vulnerable should be wearing hazmat suits and should never leave their houses. The way I see people fiddling around with their filthy dirty masks, it's a joke. These dirty masks can only make people sick and are in no way preventing the spread of anything.

> I flew on planes last week where masks are mandated to be worn. Everyone was sitting right next to each other, taking their mask off to eat and drink, and the air was stagnant and dirty for a good part of the trip. I just don't get it.

Everybody on that plane was exposed to whatever was there, and their masks couldn't possibly help. So why bother. Just have sick people stay home, and everyone wash their hands and cover their mouth when they cough.

>>> Last year I had more people die in my life than any other year. And none of them died of Covid! Personally I don't know anyone who died of Covid, or even got seriously ill. Most people who test positive have no symptoms. How is the disease so deadly that you have to get tested just to know you are sick?

>>> I am a scientist, and the fact that so much incredible science is being censored right now like never before leads me to believe that something nefarious is going on. Please consider opposing this bill and introducing bills to mandate vitamin D, healthy food, exercise, and clean living. Aside from victims in nursing homes, most of the people dying are obese and sickly from eating junk food and leading unhealthy lifestyles.

And now we have the shots and herd immunity. That is all we need, and it is enough! The masks were never effective, are now obsolete, and need to be dropped. Please vote against this bill.

>>> Thank you kindly,

>>>

>>> Sarah Traynor

>>>

>>> Sent from my iPad

## **Cameron Lapine**

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**From:** teresegrinnell@gmail.com  
**Sent:** Wednesday, February 17, 2021 8:33 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss;  
Cameron Lapine  
**Subject:** Oppose SB 155

As a NH resident I urge you to oppose this legislation!!!

Terese Grinnell  
Loudon NH

Sent from my iPhone



## Cameron Lapine

---

**From:** Jean Jeffords <jlmpjeff@gmail.com>  
**Sent:** Wednesday, February 17, 2021 8:38 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

Hello,

I strongly oppose SB155 as unlawful and unnecessary. I oppose making these "emergency orders" permanent.

Sincerely,  
Jean Jeffords

## Cameron Lapine

---

**From:** Karen Lee Reese <kl.reese@hotmail.com>  
**Sent:** Wednesday, February 17, 2021 8:39 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Thank you taking time to read.

My name is Karen Reese. I am a resident of Epsom NH.  
Writing you today to ask you to oppose SB 155.  
Thank you for your service to NH.  
Sincerely, Karen

## **Cameron Lapine**

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**From:** Nicole Nordlund <karlnic3@yahoo.com>  
**Sent:** Wednesday, February 17, 2021 8:45 AM  
**To:** Cameron Lapine; Jeb Bradley  
**Subject:** Oppose SB 155

Dear Committee Members:

I am writing ask you to oppose SB 155. These long 11 months now, we have witnessed an egregious overreach of the Governor as well as HHS. The imbalance caused by the Executive branch has wreaked havoc in the lives of Granite Staters.

There is no part of this troubling pattern that should be made permanent or signed into law. These mandates have restricted the movement of our citizens, have deeply affected their rights to earn income and provide for themselves and their families and have literally dictated what to do with their own bodies. Does this sound like America to you? Does this sound like the Live Free or Die State?

Additionally, those choosing to represent have deemed it appropriate to do so almost entirely out of sight? From swearing in ceremonies to conducting the people's business. This is fraudulent. This is not what my family looks for in an elected official.

There has been absolutely no evidence that remote learning is effective. While respecting one's right to choose it for their student, it should not be made a permanent part of our education system.

The House/Senate should take seriously the need to reign in the authority of the Governor/Executive Branch. Balance needs to be restored in New Hampshire. Citizens deserve the right to move confidently into a place where their Constitutional Rights are defended. This is the Live Free or Die State, where personal responsibility and choice should be respected above all and no matter what.

Additionally, citizens should never be forced to live in such vigilance of their basic rights. It has become exhausting for so many to constantly keep watch. It is time to get back to our lives and freedoms. The goal of the House and Senate should be to end this and work toward it NEVER happening again.

Respectfully,

Nicole Nordlund  
Madison

## Cameron Lapine

---

**From:** Suzanne Cloutier <suzannehc396@gmail.com>  
**Sent:** Wednesday, February 17, 2021 8:54 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

Definitely OPPOSE this Bill. Our rights have been stepped on, ignored and violated for almost a year.

Our constitutional rights have been denied to the people of this state long enough .

My thoughts are this Bill is anti constitution. Should not be even thought of as a legitimate Bill. It not only denies our freedom but also insures control over the people whenever the government feels like it.

It is also a degradation of our very motto.

Live Free Or Die.

Suzanne Cloutier  
1 Sunsurf Ave  
Hampton, NH

Sent from my iPhone

## **Cameron Lapine**

---

**From:** Suzanne Cloutier <suzannehc396@gmail.com>  
**Sent:** Wednesday, February 17, 2021 8:54 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

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It is also a degradation of our very motto.

Live Free Or Die.

Suzanne Cloutier  
1 Sunsurf Ave  
Hampton, NH

Sent from my iPhone

## **Cameron Lapine**

---

**From:** Camilla Franson <camilla.franson@gmail.com>  
**Sent:** Wednesday, February 17, 2021 9:29 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

To whom it may concern,

I am writing to you, on behalf of myself and my family to **STRONGLY OPPOSE** Bill SB 155.

I urge and expect our elected officials to start the process of opening up our state and detract some of these exaggerated measures that are still in place since the early spring of 2020 - **NOT** sign them into law! Our beloved "Live Free or Die" state feels more like a prison camp than anything else these days and to push these agendas to possibly become a permanent part of our lives, will only keep alienating our citizens further and encourage people to leave for other states with fewer restrictions and more personal freedom.

Thank you,

Camilla Franson  
Hampton, NH

## Cameron Lapine

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**From:** Janis Anthes <j.anthes@hotmail.com>  
**Sent:** Wednesday, February 17, 2021 9:32 AM  
**To:** Cameron Lapine  
**Subject:** SB155

I am opposed to this bill because I do not think that the emergency power orders of Governor Sunnu should be codified as law. The Legislature, i.e. the people of NH, should pass laws.

Thank you,  
Janis F Anthes  
103 Meaderboro Road  
New Durham, NH 03855

Sent from [Mail](#) for Windows 10

## Cameron Lapine

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**From:** Debbie Strodel <prov1434@gmail.com>  
**Sent:** Wednesday, February 17, 2021 9:37 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155

NOOOOO DO NOT SUPPORT THIS BILL!!

WHY do we want more oppressive controls on the people of NH - mask mandates, permanent emergency orders, permanent hybrid learning, etc. etc.

What are you thinking? I totally oppose this, we need to get PAST all this lock down mentality over COVID. Follow the true science, and let's move

NH forward not backwards.

Please let me know your opinion as well.

Debbie Strodel  
Wolfeboro NH

Debbie Strodel  
[prov1434@gmail.com](mailto:prov1434@gmail.com)

***Pray as if everything depends upon God, act as if everything depends upon us.***



## Cameron Lapine

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**From:** David Lee <david@livefreemail.com>  
**Sent:** Wednesday, February 17, 2021 9:50 AM  
**To:** Cameron Lapine  
**Subject:** Opposition to SB155

Not only are the governor's orders unconstitutional, a violation of the ADA, and generally just unnecessary and ridiculous, but emergency orders are reserved for things that are ACTUAL emergencies. A year ago, we were told COVID-19 was the end of the world. We have seen, through EVIDENCE, that this so-called pandemic is for a disease with a survival rate better than a normal flu. ALL rules due to COVID-19 need to be completely removed, not moved further into the area of tyranny. In addition, we need to institute laws AGAINST this specific type of tyranny, such as what is proposed in Tennessee to include those who choose not to wear a mask as a protected group under the ADA.

As legislators, you are responsible to the citizens you represent, and you took an oath to uphold the Constitution. Any damages done to individuals in the state due to an unconstitutional order will result your violation of Section 242 Title 18 of the Federal Code, which is "Deprivation of rights under color of law." You are personally liable for damages done under the guise of "rules" in violation of the Constitution.

Do your job and protect our rights.

-David Lee

11 Water St, Bradford, NH 03221

603-219-6238

## Cameron Lapine

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**From:** kelly@livefreemail.com  
**Sent:** Wednesday, February 17, 2021 9:54 AM  
**To:** Cameron Lapine  
**Subject:** Opposed to SB 155

There is no justification for any of these orders. It's damaging to society as a whole, to mental health, and to our children's ability to learn how to be a part of the world. All mandates must be removed immediately, not made worse that it already is.

-Kelly

## Cameron Lapine

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**From:** VaxChoiceNH <vaxchoicenh@gmail.com>  
**Sent:** Wednesday, February 17, 2021 9:58 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** OPPOSE SB155-FN codifying provisions of emergency orders

Dear Chair Carson and ED&A Committee Members:

I write to you in **opposition to SB155** codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

I oppose the effort to codify into law any and all provisions of emergency orders. Emergency provisions are only undertaken, and should only be undertaken, when and if, there is an emergency of the type and duration that would necessitate them. By their very nature they are "emergency" matters that would require only temporary action. Furthermore, emergency actions that extend beyond 21 days should never continue for months on end by a unilateral decision of the governor, but should always have the benefit of legislative oversight and decision making.

Every emergency requires careful evaluation and consideration of proposed actions and any and all adverse impact of those actions. We all know that the emergency actions taken during this pandemic are not without adverse consequences, many of them very significant. Such adverse impacts include financial devastation, individual and family stress, increased depression, loss of educational services for 11 months now, lost of significant milestones for our youth including graduations, athletic tournaments, recitals, performances, and social events like proms and clubs. There have been weddings cancelled and loved ones dying alone and inability to properly grieve. We should be focused on a return to normalcy and not become entrenched in a protracted state of emergency. This bill goes in the wrong direction.

There are many concerning provisions of Senate Bill 155-FN. Some of the most concerning to me include:

The section on the pharmacy technician administration of COVID-19 vaccines is very troubling. Who would ever think given all the data that has been collected in the last year and all that is known about COVID-19 that children have virtually no risk of illness, severe illness, or death from COVID-19 that anyone would even be suggesting that COVID vaccines be given to toddlers. It makes no sense that children as young as three years old would intentionally be put at risk of harm and death from COVID-19 injections, when they have no risk from the virus itself. Our own DHHS reports ZERO deaths from COVID in individuals under the age of 20. <https://www.nh.gov/covid19/dashboard/overview.htm>

The American Medical Association opposes even the administration of routine vaccines in a pharmacy setting for children between the ages of 3 and 18. COVID-19 vaccines (either the current injections available only under FDA Emergency Use Authorization and have not been properly safety tested or even when/if these are granted FDA license) would put children at a tremendous risk for injury and death that far exceeds the risk that this virus presents to them. *"The American Medical Association (AMA) opposes HHS' new declaration that allows pharmacists and pharmacy interns to administer vaccines to children between the ages of 3 and 18. While we acknowledge that childhood vaccinations have significantly declined during the pandemic, preempting state licensing laws to expand pharmacists' scope of practice is not the solution to vaccine hesitancy and will create additional problems. It will likely cause children to forgo holistic well-child exams and comprehensive preventive care, early diagnosis, optimal therapy, and ensured timely vaccinations that are necessary to safeguard children's health, especially during a pandemic. Additionally, the declaration is misleading in its assertion that a multitude of states 'already allow pharmacists to administer vaccines to children of any age.' Many of these states have important protocols in place, such as requiring a prescription or order from a physician. Pediatricians' and family physicians' practices are open and ready to provide the comprehensive*

*preventive care parents and patients expect. We urge HHS to reconsider the negative health repercussions of funneling children away from their primary care physicians and rescind this declaration.” <https://www.ama-assn.org/press-center/ama-statements/ama-opposes-expanding-pharmacists-ability-provide-child-vaccines>*

Children are not simply small adults. Children have very different physical characteristics, biology, physiological makeup, risk profiles, response to pharmaceuticals and vaccines, and are at unique, increased risk from vaccine injuries and death. Subjecting children of any age to COVID-19 vaccination is nearly 100% risk. It is morally and ethically troubling that anyone would suggest this, much less order it by emergency order, or propose it be written into state law. As adults it is our duty to protect children, not put them at risk of harm.

FDA authorized is not the same as FDA licensed.

[https://everlyreport.com/what-you-need-to-know-about-the-covid-vaccine/?fbclid=IwAR0SR42LOK-fj6lxsIge\\_dKC74Xvz28kow0wLU9wSmNqYwMgpJjGcAyMCoM](https://everlyreport.com/what-you-need-to-know-about-the-covid-vaccine/?fbclid=IwAR0SR42LOK-fj6lxsIge_dKC74Xvz28kow0wLU9wSmNqYwMgpJjGcAyMCoM)  
<https://www.hrsa.gov/cicp/>

There is harm and death being reported at a very high rate following injection with these vaccines. In less than 60 days since these COVID injections hit the market, there have been 12,044 adverse events <https://medalerts.org/vaersdb/findfield.php> reported to the Vaccine Adverse Event Reporting System (VAERS), including 653 deaths following COVID vaccination as of February 4, 2021 in the United States.

There is no specific requirement in this bill that adverse health events following vaccination be reported to VAERS, the Vaccine Adverse Event Reporting System, the very system that the CDC and others count on vaccine providers and members of the public to report to so that trends of concerning events may be detected and investigated and changes made in vaccine policy and recommendations to protect the health of the vaccinating public.  
<https://vaers.hhs.gov/reportevent.html>

Even in clinical trials, there were adverse events detected. Absent long-term study and a rush to market with only Emergency Use Authorization, it is more critical than ever that everyone who suffers adverse effects from these COVID injects report these events to the VAERS program. Failure to report puts innocent lives at risk.

*“The most common serious adverse events in the vaccine group which were numerically higher than in the placebo group were appendicitis (7 in vaccine vs 2 in placebo), acute myocardial infarction (3 vs 0), and cerebrovascular accident (3 vs 1).”*

<https://www.cdc.gov/vaccines/covid-19/info-by-product/pfizer/reactogenicity.html>

It is concerning that there is provision for a “temporary health partner” created without concern as to why there might be a staffing shortage in the first place and if this is truly the best way to address staffing needs. I have many healthcare workers come to me for assistance in being exempt from a flu shot and there have been many reports of a high percentage of doctors and nurses and other healthcare workers rejecting COVID shots.

*“Earlier this week, Ohio Gov. Mike DeWine disclosed that about 60 percent of the nursing home workers in his state have so far chosen not to get vaccinated.*

*More than half of New York City’s EMS workers have shown skepticism, The Post reported last month.*

*And now California and Texas are experiencing a high rate of health care worker refusals, according to reports.*

*An estimated 50 percent of front-line workers in Riverside County in the Golden State opted against the drug, the Los Angeles Times reported, citing public health officials.”*

<https://nypost.com/2021/01/01/alarming-number-of-us-health-care-workers-are-refusing-covid-19-vaccine/>

The creation of an emergency licensing process is equally concerning. Does this proposal grab at the bottom of the barrel for people who may not be qualified or suitable to be brought on board during a crisis when careful supervision of such employees is likely to be lacking?

Children have suffered far too much with unnecessary, senseless, school shutdowns. There was never the evidence or data last March 2020 to justify the shutdown of schools, there has never been any data or evidence throughout the entire year that would justify the shuttering of schools. Children in large part do not become sick from this virus and there is scant evidence that they even spread it. It was an unnecessary overreaction based on fear. Fear, not evidence or science. And our youth has suffered far too much and far too long. There is no evidence now even to justify school shutdowns. It makes no sense at all to codify into law (rather than an emergency order in an actual emergency) remote or hybrid learning. What desperately needs to be done for the benefit and welfare of New Hampshire's children is for the governor to order schools to be fully open in compliance with state requirements to provide educational services to the children of NH. <https://jbartlett.org/2021/01/schools-can-reopen-safely-research-shows/>

Provisions for "remote learning centers"? Schools, but not schools? Good grief, if it is safe enough to set up these remote learning centers it is certainly safe enough to require that schools remain open.

Regarding the Ethics Committee under RSA 141-C:27, III the very purpose of this committee is to offer advice to the commissioner. It should not be at the discretion of the commissioner to add and appoint new members to the committee. Allowing the commissioner to appoint any additional member would subject the committee to potential influence and bias to support actions of the commissioner that may not otherwise have the support of the committee or the public.

Emergency orders are intended to be emergency in nature based on an actual emergency. We should not be making proposals to become entrenched in these emergency measures by codifying them into state law. We should instead be looking at how we can best move forward, out of, and beyond this crisis.

I urge you to please reject SB155-FN.

Sincerely,  
Laura Condon  
NH Director of Advocacy for NVIC  
Bedford, NH  
[www.nvic.org](http://www.nvic.org)  
[vaxchoicenh@gmail.com](mailto:vaxchoicenh@gmail.com)  
603.471.0787

## Cameron Lapine

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**From:** Advantage Success Coaching <support@carolbostic.com>  
**Sent:** Wednesday, February 17, 2021 9:59 AM  
**To:** Denise Ricciardi; Cameron Lapine; ohnReagan111; Suzanne Prentiss; Kevin Cavanaugh  
**Subject:** Please Oppose SB 155

Dear Committee Members,

Thank you for your service.

Please oppose SB 155.

It is with an extremely heavy heart and mind that I must communicate to you that I am a FREE human being.

I oppose SB 155 on so many levels, but most of all from a women's sovereignty point of view.

My individual freedom is greatly diminished with the overreaching local and state governmental power grab.

Regarding the vaccines and the Health Commissioner's authority to appoint unelected individuals to control administration, I believe it is "My Body, My Choice". I hope you remember this as you are considering the local and state government overreach of SB 155.

Regarding public meetings to be held remotely, I completely oppose. The taxpayers of New Hampshire have a constitutional right to face to face meetings to run and participate in our government. Please oppose SB 155.

Sincerely, Carol Bostic.

Carol Bostic  
603-944-2398  
CarolBostic.com  
carol@carolbostic.com

## Cameron Lapine

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**From:** Dear Governor Sununu, <oceansunrise1962@gmail.com>  
**Sent:** Wednesday, February 17, 2021 10:09 AM  
**To:** Cameron Lapine  
**Subject:** SB 155

These mandates that are being proposed are unconstitutional. America is a free country according to our constitution. This is what makes our country so Great!

We are now being attacked by propaganda by the media, lying to everyone in the country about the "Virus" which has been proven to be nothing more than a cold or mild flu. The CDC has admitted to false positives by these highly inaccurate PCR tests, that just make the virus look so much worse than it is. Statistically there were no more deaths in America last year than any other year. We need to look at the facts, not the lies we are being told by the media. There is good treatment for the virus, medicines they are not allowing us to use. How about good nutrition, vitamin D, Zinc, and many more things that make us get over this virus with no problem. Our bodies have a great immune system if we just take care of it, masks and vaccines have been proven to hurt our immune system. Wearing masks all the time are causing many problems, including throat cancer, dental problems, acne, mouth sores. Our children will have weakened immune systems due to masks. We need to stop this insanity. First we are told masks don't work, then they do, then they are not sure, then they say wear 2,3,4, why not just stop Breathing! The whole thing is insane, its not freedom, its not humane We need to take off the masks and live as we choose. If it were not for the media we would not even know there is a virus, no one is dying. Stop this bill from becoming a law, please do the right thing, the constitutional thing. Viruses have been around for hundreds of years and will be in the future. We have the right to do what is best for our own bodies.

God Bless America.  
Sincerely,  
Pamela G.

## **Cameron Lapine**

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**From:** P Mey <topmey4@gmail.com>  
**Sent:** Wednesday, February 17, 2021 10:28 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss;  
Cameron Lapine  
**Subject:** SB 155

To the Honorable Members of the State Senate,

Being a resident of the City of Concord, I respectfully submit my extreme opposition to this bill.

Thank you,  
P Myers  
Concord, NH



## Cameron Lapine

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**From:** Darlene Warnke <lildar54@gmail.com>  
**Sent:** Wednesday, February 17, 2021 11:10 AM  
**To:** Sharon Carson  
**Cc:** John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine; Jeb Bradley  
**Subject:** SB 155

Please note that I vehemently appose Bill SB 155.

Regards,

Darlene Warnke

## Cameron Lapine

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**From:** Barrett Christina <bchristina@nhsba.org>  
**Sent:** Wednesday, February 17, 2021 12:32 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155  
**Attachments:** ed306-18a7-ed306-22.pdf

Dear Honorable Members of the Committee --

I am writing on behalf of the New Hampshire School Boards Association (NHSBA) with respect to HB 155, Page 5, Lines 27 – 33. By way of background, NHSBA is a private, non-profit organization representing 160 locally elected school boards.

NHSBA believes that the above-cited provision of HB 155 is not necessary and is contrary to recent rules adopted by the State Board of Education relative to remote instruction offered by local school districts.

The pertinent language of SB 155 NHSBA refers to states:

***6 New Section; COVID-19 Temporary Emergency Remote or Hybrid Learning. Amend RSA 189 by inserting after section 1-e the following new section:***

***189:1-f COVID-19 Temporary Emergency Remote or Hybrid Learning.***

***1. The commissioner, with approval of the governor, may grant a request by a school facility or district to temporarily transition to a remote or hybrid method of instruction whenever it is necessary to mitigate the spread of COVID-19 due to substantial community transmission or transmission within a school facility. Each school facility or district granted permission to temporarily transition to a remote or hybrid method of instruction shall take any and all necessary steps to meet its obligation to provide a free and appropriate education to each of its students.***

Again, this found on Page 5, Lines 27-33.

NHSBA believes that requiring school districts to ask the Governor or Commissioner of Education for approval to provide remote instruction is not necessary, as the state already has administrative rules that speak to this issue.

In response to COVID-19 and school districts expanding remote instruction, on December 10, 2020 the State Board of Education amended Ed 306.22. That rule already authorized school districts to provide remote instruction to students. Amendments made at the December State Board of Education meeting simply modified language to make it easier for local school boards to provide for remote instruction. A copy of that Rule as amended by the State Board of Education is attached.

As such, NHSBA asks the Committee to please consider striking the above-referenced language from SB 155. NHSBA believes current law already allows for school districts to provide remote instruction. Additionally, it seems like a challenging burden for a school district to seek permission from the Governor to provide remote instruction, when the need to provide remote instruction may be immediate or in response to immediate emergency.

Thank you for your consideration.



**Barrett M. Christina**

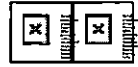
Executive Director

**NH School Boards Association**

P: (603) 228-2061 x307F: (603) 228-2351

A: 25 Triangle Park Drive, Suite 101, Concord, NH 03301

W: [nhsba.org](http://nhsba.org)E: [bchristina@nhsba.org](mailto:bchristina@nhsba.org)



**Disclaimer:**

The information in this electronic message, including any attachment(s), may include confidential or privileged information, a draft, or legal guidance which is intended for the exclusive use of the intended recipient. NHSBA provides legal education and information as a general service to NHSBA members. The information provided to members does not alone establish an attorney client relationship. Additionally, the information provided should not be interpreted or used as a substitute for a legal opinion from a school attorney. Before making legal decisions, school boards and administrators should consult with their attorney or other qualified counsel. If you are not the intended recipient and have received this message in error, do not use or rely on this information. Please notify the New Hampshire School Boards Association by reply e-mail or by telephone at (603) 228-2061. Please destroy all copies of this message and any attachments thereto.

## **Cameron Lapine**

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**From:** maximledoux <maximledoux@protonmail.com>  
**Sent:** Wednesday, February 17, 2021 6:03 PM  
**To:** Cameron Lapine; Jeb Bradley  
**Subject:** Oppose SB 155 : AN ACT codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

I oppose this bill, which seeks to legitimize Gov. Sununu's executive overreaches during the supposed state of emergency. The legislature should be dismantling the governor's unprecedented power-grab!

Maxim Ledoux  
Tuftonboro

## **Cameron Lapine**

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**From:** Julie Ledoux <jbizzbuzz@gmail.com>  
**Sent:** Wednesday, February 17, 2021 6:49 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** We oppose SB 155

To the Members of the Senate Committee considering SB 155,

We are alarmed by the proposal of HB 155 that would the citizens of our state with the codification into law of many of Governor Sununu's unnecessary and unlawful executive "mandates" many of which were issued to deal with a **virus that we now know has a 99.6666% recovery rate for the general public and a 94.5% recovery rate for people over 75!**

**The CDC has now admitted that only 6% of the deaths attributed to Covid-19 are actually attributable to the virus itself. The rest of the deaths occurred among people who had an average of 2-3 other life-threatening conditions.**

**These facts and continually emerging information confirm that Covid-19 is as threatening as are seasonal flu cycles.**

Governor Sununu's edicts are a deeply concerning overreach of government. The Governor's mandates were not brought before our legislature to be debated and citizens were not given due constitutional process in their enactment. We did not consent to be governed in this way. Further more, rubber stamping these edicts via SB 155 is no substitute for true constitutional, legislative processes.

We urge this committee to support protections against government overreach, intrusion and lack of accountability. We urge you to support for self-government. We ask you to support for the rights of citizens to use their own common sense to assess risks, and make their own personal choices. We call up you to uphold due process in enacting laws.

The bill codifies a swath of arguably unlawful and increasingly unnecessary orders that should each be debated on their own merit in our legislature.

They should each be taken before the court of public opinion and each judged for their constitutionality and common sense.

SB 155 brings down the hammer of government, restricting the rights and processes of NH citizens.

We are deeply opposed to SB 155 and remain shocked at the loss of freedoms we are experiencing here in the *Live Free or Die* state.

Julie Le Doux  
Mark Le Doux, Chairman of the Board of Selectmen, Hollis, NH  
*julie's bizz-buzz*  
[jbizzbuzz@gmail.com](mailto:jbizzbuzz@gmail.com)

## **Cameron Lapine**

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**From:** Anthony Amato <tunewriter44@gmail.com>  
**Sent:** Wednesday, February 17, 2021 8:12 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155

I want SB 155 ITL'D.

I want NO MORE COVID LEGISLATION.

## **Cameron Lapine**

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**From:** Daniel Itse <itsenh@comcast.net>  
**Sent:** Thursday, February 18, 2021 9:40 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB155

Members of the Senate Committee on Executive Departments and Administration,  
Unless you believe that the State of New Hampshire is going to be in a perpetual state of emergency due to a pandemic, you have no business putting these emergency orders in to law. At the very least, each measure should be the subject of an individual bill to be debated independently.

Many of these measures are of questionable necessity in the state of emergency. Few if any of them are a good idea under normal circumstances. If they were they would have already existed.

Dan Itse

Daniel C. Itse

Tyranny is Government in Defiance of Reality.

603-702-0381

## **Cameron Lapine**

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**From:** Darrell VanWagner <darrell.vanwagner@gmail.com>  
**Sent:** Thursday, February 18, 2021 11:23 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Please Oppose SB 155

To the Senate Committee,

Please oppose SB 155, which would take many of the governor's emergency orders and write them permanently into law, including provisions to allow remote or hybrid learning, to allow cities and towns to legally impose local mask and social distancing ordinances, to give the health commissioner authority to appoint people to the ethics committee that controls administration of vaccines, to allow public meetings to be held remotely, and to allow officials to be sworn in remotely, among other things.

The governor created these orders. The topics are not law, and should not be law.

Thank you for serving New Hampshire

Darrell Van Wagner  
44 Christmas Tree Lane  
Milford, New Hampshire



## Cameron Lapine

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**From:** PickettFamily <pickettfamily@protonmail.com>  
**Sent:** Thursday, February 25, 2021 11:49 PM  
**To:** Douglas Ley; Richard Ames; ~House Legislative Administration;  
Santonastaso@CheshireLiberty.com; Denise Ricciardi; Cameron Lapine  
**Subject:** Appose SB155...I read it

Dear Mr. Lapine and all who represent Jaffrey, NH,

I am going to make it clear and simple. Please go read 1984, written by George Orwell. Please go to your local library where my tax dollars are being used to pay a librarian that my children and I can go in because of unconstitutional mask mandates. My children don't need to wear a mask. They are young, and science has proven they are the least acceptable to COVID.

Please oppose SB 155 and stop trying to give the government and our governor more control, e.g., making SB155 into law.

**Written more than 70 years ago, 1984 was George Orwell's Orwell's chilling prophecy about the future. And while 1984 has come and gone, his dystopian vision of a government that will do anything to control the narrative is timelier than ever...**

Make sure to wear the mask that supposedly protects you if you go to the library because this is the only way you can get in or an appointment. My kids and the books will get some form of COVID when I there alone by appointment.

I am not allowed to go to the local library because of the mask mandate with my kids under the age of 8 because of the lies you tell people about COVID-19 vs. COVID. My husband is a researcher and truly understands numbers.

I am asking you to stop trying to pass ridiculous lockdown bills amid a "so-called crisis," attacking businesses and people's freedom to be taken away by trying to give any current or future governor more power to create unconstitutional lockdown, all for the sake of "safety." The Nazis said this to the Jews, and let's remember the Holocaust.

You can technically argue the State of Emergency is a form of abuse. Legislature representatives are "neglecting" to look at the data that Renew NH is presenting and make a sound decision together to keep our small businesses and schools open; instead, they focus on proposing unconstitutional laws like SB155.

Suppose New Hampshire representatives continue to refuse to look at the data that Renewed NH presents and other organizations like the Great Barrington Declaration and vote differently for upcoming bills SB155 and allow the families, people, and business to serve the community in the way they know BEST a support "HCR2" the resolution to END THE STATE OF EMERGENCY.

In that case, I will vote differently in upcoming elections. Again we will not forget.

My husband and I look at New Hampshire representatives' policies "they vote on" and "not the letter behind the political party affiliation." We will drain the swamp if necessary by looking at policies that are being voted on.

Family/people's business our stake, and their financial livelihoods are at stake. Not government power is at stake.

COVID stimulus will not help. COVID stimulus packages will continue to put future generations in debt, and giving the governor more power will not help, and we all know it.

I have a unique background. I am Latina and White. Proud to be White and Latina who speak English and Spanish. My grandparents are Spaniard immigrants who left SOCIALISM. I am the daughter of a Veteran whose father fought in wars for our FREEDOM. I am a veteran myself, and I can go on and on. I am a wife and mom of three young kids, all under the age of eight. I am a clinical social worker, a researcher, a registered play therapist supervisor, and a business owner; I will have my voice heard about freedoms being taken away for the sake of "safety." Nazi Germany.

Vote opposition against SB155 and support freedom. Remember Nazi Germany "All for your safety." Millions of Jews died and please read or reread 1984 George Orwell. History and wisdom from my father and grandparents who have shared their sad stories of losing their freedoms and fighting for our supposed freedoms we died in war.

Respectfully,  
Adaris Pickett

## Cameron Lapine

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**From:** Danielle Bowers <dannybowers81@gmail.com>  
**Sent:** Monday, March 1, 2021 9:07 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB155-FN

Dear Committee members,

Please OPPOSE this bill!

**This bill would codify emergency orders into state law, remove legislative oversight, and make these runaway powers and emergency orders permanent.**

**Provides for pharmacy technicians to inject babies as young as three years old with any and all vaccines including COVID injections that only have FDA authorization.**

This is so offensive that little children would be used in grab and jab vaccine sales without the benefit of a pediatrician or family doctor to administer care when vaccine reactions and serious injuries occur. Pharmacists have customers, not patients. Children need doctors, not drug salesmen. The largest percentage of adverse events occur in children. 36.28% of all reported injuries and deaths occur in those under the age of 18 years. It is without conscience that this age demographic would be directed away from the care of a doctor who provides evaluation and follow up and continued care over a long period of time and is in a position to evaluate evidence of harm in a way that a "pharmacy technician" never could do.

This bill puts children at great risk of injury and death and should be strongly opposed.

Respectfully,  
Danielle Bowers  
Acworth, NH

*" Let us hear the conclusion of the whole matter: Fear God, and keep His commandments: for this is the whole duty of man. "*

*Ecclesiastes 12:13*

## Cameron Lapine

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**From:** Karen Hatcher <khatcher@peterboroughnh.gov>  
**Sent:** Monday, March 8, 2021 2:46 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** In support of Amendment to SB 155-FN  
**Attachments:** SB 155 - 2021-0581s.pdf

To the Members of the Executive Departments and Administration Committee,

I am writing to ask your support of Amendment SB 155-FN which expands outdoor dining for our restaurants through 2023. As you are aware the pandemic has challenged this vital sector of our business community beyond many others. Restaurants are the life-blood of communities like Peterborough and others around the state, drawing guests to our downtown to shop, recreate and consider as a place to call home. Everything we can do to help them get back on their feet, should be done.

I thank you for your consideration,

Karen Hatcher  
Community and Economic Development Coordinator  
Town of Peterborough  
[khatcher@peterboroughnh.gov](mailto:khatcher@peterboroughnh.gov)  
603-924-8000 x106

## **Cameron Lapine**

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**From:** Christine J. Soutter <csoutter@ci.durham.nh.us>  
**Sent:** Monday, March 8, 2021 3:09 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155 Extending Outdoor Public Dining

Good afternoon. As I am sure you have heard many times over, our restaurants have been incredibly hard hit by the pandemic. Our restaurant community in Durham was especially hard hit when students were sent home in the Spring and have been asked to limit their socializing.

Anything that we can safely do to help our restaurants continue operating (and generating enough revenue to make at least a modest profit) is something we have to support.

I am reaching out to you to ask for your support of SB 155 that would extend outdoor dining through 2023.

Thank you for your service and reach out if you have any questions or thoughts.

Best regards,

Christine J. Soutter  
Economic Development Director  
Town of Durham  
603-590-1387 - office  
603-496-3237 - cell  
Office hours are Monday and Wednesday, 9am-5pm

## Cameron Lapine

---

**From:** profdhend@gmail.com  
**Sent:** Monday, March 8, 2021 4:58 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** SB 155  
**Attachments:** SB\_155\_2021\_0581s.pdf

Hello, I support the amendment Darren Winham wrote regarding extending the Gov's Executive Order to allow outdoor dining through 2023 which will be introduced by Senator Cavanaugh at 9:30 on Wednesday as part of SB 155 by the Executive Departments and Administration Committee.

Donna Henderson  
62 Crawley Falls Road  
Brentwood, NH 03833  
(207)650-5477  
[profdhend@gmail.com](mailto:profdhend@gmail.com)



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

## **Cameron Lapine**

---

**From:** chuck black <cblack0820@gmail.com>  
**Sent:** Monday, March 8, 2021 5:12 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Outdoor Dining Extension Proposal

Dear Committee Members,

I am a five year full time resident of North Hampton.

My family and I have been strict followers of Covid-19 masking, quarantine, distancing, maintaining a small family only bubble and other rules intended to keep people safe.

I am fully in support of allowing outdoor dining to be continued to allow people to eat out. This would be good for residents, visitors, tourists and restaurant/business owners.

Thank you for considering this proposal.

Sincerely,

Charles Black  
2 Runnymede Drive  
North Hampton, NH 03862

## **Cameron Lapine**

---

**From:** Jolie Yonker <jolieyonker@me.com>  
**Sent:** Monday, March 8, 2021 5:14 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** In support of outdoor dining thru 2023

Dear Madams & Sirs,

As a regular patron of our local restaurants prior to and during the pandemic (when applicable), I am writing to encourage you to vote in favor of allowing restaurants to use outdoor dining spaces when it is possible. This simple act will have a positive ripple effect on the community at large. After nearly a year of financial instability due to various states of closures and limited seating, it's one way we can rally to keep business owners doing what they do best—feeding and fostering a sense of community.

I support the amendment to extend outdoor dining through 2023, and I hope you do, too.

My best to you,

Jolie Yonker



## Cameron Lapine

---

**From:** Robert Levine <bob@whym.beer>  
**Sent:** Monday, March 8, 2021 5:16 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Cc:** Matt Barrett; Alex Aviles  
**Subject:** Amendment to SB 155

Honorable Committee Members,

We support the amendment to SB 155 allowing for the extension of the Governor's Executive Order regarding outdoor dining. We need this for our business. We strongly urge you to confirm this amendment. Thank you.

--

Robert C. Levine, Manager  
WHYM NH, LLC d/b/a Whym Craft Pub & Brewery  
853 Lafayette Road  
Hampton, NH 03842  
603-601-2801 office  
603-702-1733 cell

## Cameron Lapine

---

**From:** Cheryl Fletcher <fletchssandblasting@hotmail.com>  
**Sent:** Monday, March 8, 2021 7:11 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine

I'd like to support the amendment extending the Gov's Executive Order to allow outdoor dining through 2023 .

Cheryl Fletcher

Sent from Mail for Windows 10

## Cameron Lapine

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**From:** Czar <czarsbrewery@comcast.net>  
**Sent:** Monday, March 8, 2021 11:52 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Small Business Survival -Outdoor Dining

Dear Committee Members,

I am writing to you in hopes of conveying just how important outdoor dining is to the survival of my brew pub and to every other restaurant/pub in our state. While the general malaise of the past year may seem to be lifting, I assure you Granite Staters are still very uncomfortable with indoor activities. This has left most of us in the hospitality industry either closed or on the cusp of closure.

For new businesses like mine that the Main Street Relief Fund and later the Gap Fund excluded due to the inability to show revenue drops, our survival depends on our ability to generate more revenue as quickly as possible and providing outdoor seating is key to that equation..

Our situation may be somewhat unique but we are not alone in our need for revenue to survive. We waited 7 months due to federal regulatory backlogs until eventually Senator Hassan's office intervened to push through our Federal Brewer's permit. The time it took to get the Federal Permit then the NH Liquor License was more than 8 months. Although the relief packages didn't consider us to be in business because of our lack of revenue, we were of course as is exhibited by our monthly property rent, utilities, build out costs, etc...

At this point in the pandemic, the hospitality business has essentially been driven to its knees as the state's citizens have recoiled from almost all brick and mortar businesses. The path back for our Main Street businesses can only be paved by actionable legislation that changes the perception that we can't safely walk and sit downtown. The only way our downtowns will avoid becoming shuttered ghost towns is for this perception to be altered. Humans are social creatures and seeing other's safely out and about will bring them out of their shelters. This in turn will spark economic activity again as well as all of the psychological benefits of enjoying life.

Please. We need to move forward.

Henry Vance  
Czar's Brewing  
2 Center Street  
Exeter, NH

Sent from my iPhone

## **Cameron Lapine**

---

**From:** Michael Ouellette <Michael.Ouellette@sau57.org>  
**Sent:** Tuesday, March 9, 2021 6:36 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Outdoor Dining

I support the extension of the outdoor dining amendment through December of 2023. This amendment will allow us restaurant people to try and make up some lost ground over the next couple of years.

Michael Ouellette  
Michael's Flatbread

## Cameron Lapine

---

**From:** Kim Powers <kim@api-smartcoat.com>  
**Sent:** Tuesday, March 9, 2021 6:59 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Executive Order to Allow Outdoor Dining

I support this amendment as a patron of many local establishments.

*Kim Powers,*  
*Vice President*  
Advanced Polymerics, Inc.  
32 Hampshire Road  
Salem, NH 03079  
(603) 328-8177 – Office  
(603) 484-8267 - Direct  
(603) 328-8945 – Fax



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DISTRIBUTOR**

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## **Cameron Lapine**

---

**From:** Jim@sawbelly.com  
**Sent:** Tuesday, March 9, 2021 8:22 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Amendment to SB 155-FN

I send this email to support the Amendment to SB 155-FN as the restaurant industry desperately needs outdoor dining in these very difficult times.

Thank you,

Jim Stilian  
C 978-302-1040

Sawbelly Brewing  
156 Epping Road  
Exeter, NH 03833-4439  
jim@sawbelly.com  
PH 603-583-5080  
FAX 603-583-5028  
[www.sawbelly.com](http://www.sawbelly.com)

## **Cameron Lapine**

---

**From:** bomac@comcast.net  
**Sent:** Tuesday, March 9, 2021 10:59 AM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Amendment Support

To the Committee:

As a supporter of local business, our restaurants and their employees and providers, I fully support the Amendment to SB 155-FN.

Brian McElwee  
(603) 686-0281  
bomac@comcast.net

## Cameron Lapine

---

**From:** Alex Aviles <alex@whym.beer>  
**Sent:** Tuesday, March 9, 2021 12:55 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Cc:** Robert Levine; matt@whym.beer  
**Subject:** Re: Amendment to SB 155

>  
> We support the amendment to SB 155 allowing for the extension of the Governor's Executive Order regarding outdoor dining. We need this for our business. We strongly urge you to confirm this amendment. Thank you.  
> --  
> Alex Aviles  
> WHYM NH, LLC d/b/a Whym Craft Pub & Brewery  
> 853 Lafayette Road  
> Hampton, NH 03842



## **Cameron Lapine**

---

**From:** Amanda Chouinard <ampanda1028@gmail.com>  
**Sent:** Tuesday, March 9, 2021 2:12 PM  
**To:** Sharon Carson; John Reagan; Kevin Cavanaugh; Denise Ricciardi; Suzanne Prentiss; Cameron Lapine  
**Subject:** Outdoor Dining Extension through 2023

I am in Food Service sales and have been greatly impacted by COVID19 and the restrictions on restaurants therefore, I fully support this amendment.

Thanks,  
Karen  
Exeter, NH

# Voting Sheets

**Senate Executive Departments and  
Administration Committee  
EXECUTIVE SESSION RECORD**  
2021 Session

1

Bill # SB 155-FN

Hearing date: 2-17-21

Executive Session date: 3-10-21

Motion of: Amendment 0581s Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Amendment 0560s Vote: 4-1

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Amendment to Remove Sec. 7 Vote: 4-1

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: \_\_\_\_\_

Notes: CONT

\_\_\_\_\_  
\_\_\_\_\_

**Senate Executive Departments and  
Administration Committee**  
EXECUTIVE SESSION RECORD 2  
2021 Session CON'T

Bill # SB155

Hearing date: 2-17-21

Executive Session date: 3-10-21

Motion of: ITL Vote: N/A

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: 4-1

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Carson

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Wednesday, March 10, 2021

THE COMMITTEE ON Executive Departments and Administration

to which was referred **SB 155-FN**

AN ACT

codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-1

AMENDMENT # 0774s

Senator Sharon Carson  
For the Committee

Cameron Lapine 271-2104

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 155-FN**, codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

Ought to Pass with Amendment, Vote 4-1.

Senator Sharon Carson for the committee.

## General Court of New Hampshire - Bill Status System

**Docket of SB155**

Docket Abbreviations

**Bill Title:** codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

*Official Docket of SB155.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
2/9/2021	S	<b>Introduced</b> 02/04/2021 and Referred to Executive Departments and Administration; <b>SJ 4</b>
2/11/2021	S	Remote <b>Hearing:</b> 02/17/2021, 10:30 am; Links to join the hearing can be found in the Senate Calendar; <b>SC 11</b>
3/10/2021	S	Committee Report: Ought to Pass with Amendment <b>#2021-0774s</b> , 03/18/2021; <b>SC 15</b>
3/18/2021	S	Committee Amendment <b>#2021-0774s</b> , RC 24Y-0N, AA; 03/18/2021; <b>SJ 8</b>
3/18/2021	S	<b>Ought to Pass with Amendment</b> 2021-0774s, RC 23Y-1N, MA; OT3rdg; 03/18/2021; <b>SJ 8</b>
3/31/2021	H	Introduced (in recess of) 02/25/2021 and referred to Executive Departments and Administration <b>HJ 4 P. 50</b>
4/21/2021	H	Public Hearing: 04/27/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/93185691814">https://zoom.us/j/93185691814</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/21/2021	H	Public Hearing on non-germane Amendment <b>#2021-1149h</b> : 04/27/2021 01:05 pm Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/93185691814">https://zoom.us/j/93185691814</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/4/2021	H	Non-germane amendment <b>#2021-1149h</b> Subcommittee Work Session: 05/11/2021 10:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/92150579267">https://zoom.us/j/92150579267</a>
5/12/2021	H	Non germane amendment <b>#2021-1149h</b> Subcommittee Work Session: 05/13/2021 09:30 am Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/95614649564">https://zoom.us/j/95614649564</a>
5/13/2021	H	Public Hearing on non-germane Amendment <b>#2021-1443h</b> : 05/18/2021 01:30 pm Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/97887037548">https://zoom.us/j/97887037548</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/12/2021	H	Executive Session: 05/25/2021 11:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://zoom.us/j/91900709064">https://zoom.us/j/91900709064</a>
5/27/2021	H	Committee Report: Without Recommendation (Vote ; RC) <b>HC 26 P. 22</b>
6/3/2021	H	FLAM <b>#2021-1864h</b> (Rep. Roy): AF <b>RC 182-193</b> 06/03/2021 <b>HJ 8</b>
6/3/2021	H	Amendment <b>#2021-1646h</b> : AA VV 06/03/2021
6/3/2021	H	<b>Ought to Pass with Amendment</b> 2021-1646h: MA VV 06/03/2021
6/3/2021	H	Reconsider (Rep. Goley): MF DV 117-258 06/03/2021
6/10/2021	S	Sen. Carson Moved Nonconcur with the House Amendment; Requests C of C, MA, VV; 06/10/2021; <b>SJ 19</b>
6/10/2021	S	President Appoints: Senators Carson, Bradley, Cavanaugh; 06/10/2021;



**SJ 19**

6/10/2021	H	House Accedes to Senate Request for CofC (Rep. McGuire): MA VV 06/10/2021
6/10/2021	H	Speaker Appoints: Reps. Roy, Bailey, T. Lekas, Schuett 06/10/2021
6/11/2021	S	Conferee Change; Senator Prentiss Replaces Senator Cavanaugh; <b>SJ 20</b>
6/14/2021	S	==RECESSED== Committee of Conference Meeting: 06/14/2021, 01:00 pm, Room 100, SH
6/14/2021	S	==RECONVENE== Committee of Conference Meeting: 06/15/2021, 02:00 pm, Room 100, SH
6/17/2021	H	Conference Committee Report <b>#2021-1994c</b> Filed 06/10/2021; House Amendment + New Amendment
6/24/2021	H	Conference Committee Report 2021-1994c: Adopted, VV 06/24/2021
6/24/2021	S	Conference Committee Report <b>#2021-1994c</b> , Adopted, VV; 06/24/2021; <b>SJ 20</b>
6/25/2021	H	Enrolled Bill Amendment <b>#2021-2049e</b> : AA VV (in recess of) 06/24/2021
6/29/2021	S	Enrolled Bill Amendment <b>#2021-2049e</b> Adopted, VV, (In recess of 06/24/2021); <b>SJ 20</b>
7/1/2021	H	Enrolled (in recess of) 06/24/2021
7/1/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); <b>SJ 20</b>
7/13/2021	S	Signed by the Governor on 07/09/2021; Chapter 0121
7/13/2021	S	I. Section 10 Effective 01/31/2022
7/13/2021	S	II. Remainder Effective 07/09/2021

NH House

NH Senate

# Other Referrals

1 Committee of Conference Report on SB 155-FN, codifying provisions included in select emergency  
2 orders issued by the governor in response to the COVID-19 pandemic.

3  
4 Recommendation:

5  
6 That the Senate recede from its position of nonconcurrence with the House amendment, and  
7 concur with the House amendment, and

8 That the Senate and House adopt the following new amendment to the bill as amended by the  
9 House, and pass the bill as so amended:

10  
11 Amend RSA 310-A:1-h as inserted by section 2 of the bill by inserting after paragraph VII the  
12 following and renumbering the original paragraphs VIII and IX to read as IX and X, respectively:

13  
14 VIII. Emergency licenses issued during the COVID-19 pandemic pursuant to the governor's  
15 executive order 2020-04 shall not be deemed to have lapsed upon expiration of the state of  
16 emergency and shall be converted to a license under this section on the effective date of this section.  
17 This provision is intended to apply retroactively to extend the expiration date of all emergency  
18 licenses issued under executive order 2020-04 to January 31, 2022.

19  
20 Amend the bill by replacing section 7 with the following:

21  
22 7 Liquor Licenses and Fees; Authorization for Other Areas; Expansion of Outdoor Dining.  
23 Amend RSA 178:24 to read as follows:

24 178:24 Authorization for Other Areas. A business holding a license authorizing the  
25 consumption of alcoholic beverages on its licensed premise may petition the commission for  
26 permission to extend service for beverages and liquor to any clearly defined area under the control of  
27 the licensee. *In addition, a licensee may expand into a shared space, such as a sidewalk or*  
28 *street, with the approval of local officials.* Petitions shall include written plans and diagrams  
29 that shall provide detailed information on the proposed extension of alcohol service. Petitions shall  
30 also conform to local zoning requirements and include the written approval of local officials.  
31 *Businesses served by a waste disposal system, as defined by RSA 485-A:2, XI, shall obtain*  
32 *approval from the department of environmental services for any expansion under this*  
33 *section, unless the total number of seats remains the same or is reduced. Businesses that*  
34 *are on municipal sewer may expand seating as permitted by the municipality. The*

**Committee of Conference Report on SB 155-FN**  
**- Page 2 -**

1 commission may approve plans submitted by licensees and may add such terms and conditions as it  
2 deems appropriate to preserve public health and safety. The commission may deny, in its discretion,  
3 any petition under this section which constitutes a risk to public health, safety, or welfare of any  
4 community.

5  
6 Amend the bill by inserting after section 7 the following and renumbering the original sections 8-9 to  
7 read as 10-11, respectively:

8  
9       8 Emergency or Temporary Healthcare Licensees. Healthcare workers issued emergency or  
10 temporary licenses during the COVID-19 pandemic, including but not limited to those recruited for  
11 youth camps, organized recreation, and community-sponsored recreation, and who meet the  
12 requirements for such licensure, shall be allowed to continue in their professional capacity for so  
13 long as the emergency or temporary license remains valid. The office of professional licensure and  
14 certification shall continue to offer and issue emergency or temporary licenses for healthcare  
15 workers; provided that any emergency or temporary licenses issued during the COVID-19 pandemic  
16 or in response to conditions occurring immediately thereafter shall expire no later than January 31,  
17 2022.

18       9 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of COVID-  
19 19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

20       318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire  
21 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 18  
22 years of age or older while under the supervision of a New Hampshire licensed pharmacist, if the  
23 following conditions are met:

24           I. The vaccination is ordered by the supervising pharmacist.

25           II. The supervising pharmacist is readily and immediately available to the immunizing  
26 registered or certified pharmacy technician.

27           III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.

28           IV. The COVID-19 vaccine is ordered and administered according to the Advisory  
29 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.

30           V. The registered or certified pharmacy technician has completed a practical training  
31 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training  
32 program shall include hands-on injection technique and the recognition and treatment of emergency  
33 reactions to vaccines.

34           VI. The registered or certified pharmacy technician has a current certificate in basic  
35 cardiopulmonary resuscitation.

Committee of Conference Report on SB 155-FN

- Page 3 -

1 VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of  
2 ACPE-approved, immunization-related continuing pharmacy education during the relevant state  
3 licensing period.

4 VIII. The supervising pharmacist shall comply with all recordkeeping and reporting  
5 requirements.

6 IX. The supervising pharmacist shall be responsible for complying with requirements  
7 related to reporting adverse events.

8 X. The supervising pharmacist shall review the vaccine registry or other vaccination records  
9 before ordering the registered or certified pharmacy technician to administer the vaccination.

10 XI. The supervising pharmacist shall comply with any applicable requirements or conditions  
11 of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal  
12 requirements that apply to the administration of COVID-19 vaccine.

13  
14 Amend the bill by replacing section 11 with the following:

15  
16 11 Effective Date.

17 I. Section 10 of this act shall take effect January 31, 2022.

18 II. The remainder of this act shall take effect upon its passage.

**Committee of Conference Report on SB 155-FN**

**- Page 4 -**

The signatures below attest to the authenticity of this Report on SB 155-FN, codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

Conferees on the Part of the Senate

Conferees on the Part of the House

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Sen. Carson, Dist. 14

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Rep. Roy, Rock. 32

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Sen. Bradley, Dist. 3

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Rep. Bailey, Straf. 1

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Sen. Prentiss, Dist. 5

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Rep. T. Lekas, Hills. 37

---

Rep. Schuett, Merr. 20

2021-1994-CofC

AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 or 2021 due to COVID-19.
- VI. Allows expanded outdoor dining.
- VII. Provides for the continued temporary licensure of healthcare workers through the office of professional licensure and certification.
- VIII. Authorizes pharmacy technicians to administer COVID-19 vaccines.

June 25, 2021  
2021-2049-EBA  
08/10

Enrolled Bill Amendment to SB 155-FN

The Committee on Enrolled Bills to which was referred SB 155-FN

AN ACT                    codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

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Explanation to Enrolled Bill Amendment to SB 155-FN

This enrolled bill amendment rennumbers an RSA to avoid a conflict with HB 94 and corrects a reference.

Enrolled Bill Amendment to SB 155-FN

Amend section 2 of the bill by replacing lines 1-3 with the following:

2 New Section; Office of Professional Licensure and Certification; Emergency Licensing Process.  
Amend RSA 310-A by inserting after section 1-h the following new section:

310-A:1-i Emergency Licensing Process. Notwithstanding any other law to the contrary, the

Amend RSA 318:14-b, II as inserted by section 4 of the bill by replacing line 2 with the following:

certificate under the Clinical Laboratory Improvement Amendments of 1988 (CLIA) and a New Hampshire laboratory license

Amend section 10 of the bill by replacing line 2 with the following:

I. RSA 310-A:1-i, relative to emergency licensing procedures.



**Senate Inventory Checklist for Archives**

Bill Number: SB 155-FN

Senate Committee: EDYA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- 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):

201 - amendment # 0560s      201 - amendment # 0774s  
201 - amendment # 0581s      \_\_\_\_\_ - amendment # \_\_\_\_\_

- 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): 1994
- Enrolled Bill Amendment(s) 2049
- \_\_\_\_\_ Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

- as amended by the senate       as amended by the house
- \_\_\_\_\_ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Jafine  
Committee Aide

7/19/21  
Date

Senate Clerk's Office \_\_\_\_\_