

CONSENT CALENDAR

March 1, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Labor, Industrial and Rehabilitative Services to which was referred HB 1415,

AN ACT relative to employer health screening reimbursement. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Brian Seaworth

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Labor, Industrial and Rehabilitative Services
Bill Number:	HB 1415
Title:	relative to employer health screening reimbursement.
Date:	March 1, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The language of this bill restates a requirement already in law (RSA 275:3), but tailors it specifically to "health screening." The committee believes that the intent of this bill is already fully enforced by the NH Department of Labor and that an additional law would not add value.

Vote 20-0.

Rep. Brian Seaworth
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Labor, Industrial and Rehabilitative Services

HB 1415, relative to employer health screening reimbursement. **INEXPEDIENT TO LEGISLATE.** Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. The language of this bill restates a requirement already in law (RSA 275:3), but tailors it specifically to “health screening.” The committee believes that the intent of this bill is already fully enforced by the NH Department of Labor and that an additional law would not add value. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 1415

BILL TITLE: relative to employer health screening reimbursement.

DATE: February 24, 2022

LOB ROOM: 305 - 307

MOTIONS: **INEXPEDIENT TO LEGISLATE**

Moved by Rep. Seaworth

Seconded by Rep. Turcotte

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jonathan Mackie, Clerk

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 1415

BILL TITLE: relative to employer health screening reimbursement.

DATE: 2/24/22

LOB ROOM: 305-307

MOTION: (Please check one box)

- OTP ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. Seaworth Seconded by Rep. Turcotte Vote: 20-0

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: 
Rep Jonathan Mackie, Clerk



2022 SESSION

Labor, Industrial and Rehabilitative Services

 Bill #: 1415 Motion: ITL AM #: _____ Exec Session Date: 2/24/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Infantine, William J. Chairman	20		
Seaworth, Brian Vice Chairman	1		
Avellani, Lino M.	2		
Callum, John M.	3		
Mackie, Jonathan D. Clerk	4		
Love, David C.			
Warden, Mark	5		
Turcotte, Leonard P.	6		
Prout, Andrew J.	7		
Boyd, Stephen E.	8		
Hough, Gregg	9		
Sullivan, Brian M.	10		
Soucy, Timothy A.	11		
Baroody, Benjamin C. Swiltz	12		
Cahill, Michael D.	13		
DiSilvestro, Linda A. Fellawss	14		
Schmidt, Janice E.	15		
Toomey, Dan	16		
Bouchard, Donald J.	17		
Adjutant, Joshua	18		
Maneval, Andrew	19		

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB 1415

BILL TITLE: relative to employer health screening reimbursement.

DATE: February 3, 2022

LOB ROOM: 305 - 307 **Time Public Hearing Called to Order:** 2:29 p.m.

Time Adjourned: 2:40 p.m.

Committee Members: Reps. Infantine, Seaworth, Mackie, Avellani, Callum, Love, Warden, Turcotte, Prout, S. Boyd, Hough, Sullivan, Soucy, Cahill, DiSilvestro, J. Schmidt, Toomey, Bouchard, Adjutant and Maneval

Bill Sponsors:

Rep. Lanzara

Rep. Theberge

Rep. Stapleton

Rep. Silber

Rep. Pauer

Rep. Aron

Rep. Deshaies

Sen. Avard

Rep. Blasek

Rep. Greeson

Rep. Foster

TESTIMONY

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

Rep. Tom Lanzara introduced the bill. This will allow a prospective employee to be reimbursed for the costs of applying for a job.

Lexi Rojas from NH DOL said they have no position on the bill, but are a bit confused by it. This does appear to already be covered

Rep. Prout: Do you see anything additional in this bill?

Lexi Rojas: No

Kate Horgan from NH Association Of Counties testified against the bill. They are confused. It appears someone could elect to go elsewhere to get a test for which they would be reimbursed even though they could have got the test for free at work..

Respectfully submitted,

Rep. Jonathan Mackie
Clerk

House Remote Testify

Labor, Industrial and Rehabilitative Services Committee Testify List for Bill HB1415 on 2022-02-03

Support: 8 Oppose: 3 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
ploszaj, tom	Center Harbor, NH tom.ploszaj@gmail.com	An Elected Official	Myself	Support	No	No	1/21/2022 7:30 PM
Hunt, Wendy	AMHERST, NH whunt@nashuachamber.com	A Member of the Public	Greater Nashua Chamber of Commerce members	Oppose	No	No	1/24/2022 9:38 AM
Jones, Nate	BRENTWOOD, NH jennjones123@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 9:34 PM
Jones, Jennifer	BRENTWOOD, NH jennjones123@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 9:37 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2022 7:28 AM
Pauer, Diane	Brookline, NH Diane.Pauer@leg.nh.state.us	An Elected Official	Myself	Support	No	No	2/1/2022 9:41 PM
Richardson, Bryan	Alexandria, NH marks-dad@ipatriots.us	A Member of the Public	Myself	Support	No	No	2/2/2022 3:00 AM
Ryll, Brian	Concord, NH brian@pffnh.org	A Lobbyist	Professional Fire Fighters of New Hampshire	Support	No	No	2/2/2022 3:43 PM
Aron, Judy	Acworth, NH Judy.aron@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/2/2022 10:56 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Support	No	No	2/3/2022 10:32 AM
Robertson, Jay	Stark, NH jaywrobertson@gmail.com	A Member of the Public	Myself	Support	No	No	2/3/2022 7:49 PM

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Grafton County Commissioner

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Rockingham County Commissioner

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Toni Pappas
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January 31, 2022

The Honorable Will Infantine
Chair
House Labor, Industrial and Rehabilitative Services Committee
State House
Concord, NH 03031

Chairman Infantine and Members of the House Labor, Industrial and Rehabilitative Services Committee,

The NH Association of Counties would like to register its opposition to HB 1415, relative to employer health screening reimbursement.

This bill would require an employer to reimburse the cost of payment for pre-employment health screenings and health screens as required as a condition of continuous employment (such as DOT physicals) – regardless of an employer’s arrangement with a provider. A new employment candidate, presumably without any health insurance coverage, could get a comprehensive annual physical and present a county with a \$250-\$750 medical bill for reimbursement. The decision to either cover the expense by direct payment OR to reimburse the employee must be the employer’s decision not the employee’s. In addition, mileage to/from the health screening requires additional qualification. Counties do not pay mileage for commuting to work, therefore travel to a health screening should be governed the same way. Providing wages for the time of the health screening for a pre-employment screen would clearly be inappropriate, as they are not current employees of the counties.

The Association asks you to oppose HB 1415. If you have any questions, please feel free to reach out to our Executive Director, Kate Horgan at khorgan@dupontgroup.com.

Sincerely,

Wendy Piper
President
NH Association of Counties

HB 1415 - AS INTRODUCED

2022 SESSION

22-2765

04/05

HOUSE BILL **1415**

AN ACT relative to employer health screening reimbursement.

SPONSORS: Rep. Lanzara, Hills. 28; Rep. Pauer, Hills. 26; Rep. Blasek, Hills. 21; Rep. Theberge, Coos 3; Rep. Aron, Sull. 7; Rep. Greenson, Graf. 16; Rep. Stapleton, Sull. 5; Rep. Deshaies, Carr. 6; Rep. Foster, Hills. 5; Rep. Silber, Belk. 2; Sen. Avard, Dist 12

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill requires an employer to bear financial responsibility for employer-required health screenings.

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

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to employer health screening reimbursement.

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

1 1 New Paragraph; Labor; Protective Legislation; Payment for Health Screenings. Amend RSA
2 275:57 by inserting after paragraph I the following new paragraph:

3 I-a. An employer that requires a health screening as a condition of employment shall bear
4 financial responsibility for the cost of such screening either by direct payment for the screening or by
5 reimbursing the employee for the payment of expenses for the screening within 30 days of the
6 presentation by the employee of proof of payment. An employer shall provide mileage and tolls
7 reimbursement as incurred employee expenses at the current Internal Revenue Service rate for
8 travel to and from the location of the health screening if not performed at the employee's normal
9 place of employment. If the health screening is not performed during working hours, an employer
10 shall provide wages at the employee's rate of pay or provide compensatory time off, equal to the total
11 time for the health screening including travel time.

12 2 Effective Date. This act shall take effect 60 days after its passage.