

**CONSENT CALENDAR**

**April 19, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Health, Human Services and Elderly  
Affairs to which was referred SB 337-FN,**

**AN ACT relative to emergency medical and trauma  
services data sharing to the purposes of analysis.**

**Having considered the same, report the same with the  
recommendation that the bill OUGHT TO PASS.**

**Rep. Dennis Acton**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Health, Human Services and Elderly Affairs</b>
Bill Number:	<b>SB 337-FN</b>
Title:	<b>relative to emergency medical and trauma services data sharing to the purposes of analysis.</b>
Date:	<b>April 19, 2022</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS</b>

### STATEMENT OF INTENT

This bill establishes a data collection and analysis capability that provides for the evaluation of emergency medical and trauma services in order to identify areas of improvement that may be needed. Specifically, this data will be used to identify gaps and shortfalls in the delivery of emergency medical and trauma services. All analysis shall be public documents, provided that recipients of the emergency services remain confidential. Any patient data collected for use in analysis is required to be de-identified and is subject to existing state and federal data privacy laws.

Any release of data for analysis shall be returned to the Department of Safety or destroyed and no copies shall be kept. Currently, the existing laws limit the ability to share data for analysis which inhibits the ability to change and improve patient care protocols and to propagate best practices. This bill will solve this problem while maintaining strict privacy rules to protect patient confidentiality.

Vote 21-0.

Rep. Dennis Acton  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Health, Human Services and Elderly Affairs

**SB 337-FN**, relative to emergency medical and trauma services data sharing to the purposes of analysis. **OUGHT TO PASS.**

Rep. Dennis Acton for Health, Human Services and Elderly Affairs. This bill establishes a data collection and analysis capability that provides for the evaluation of emergency medical and trauma services in order to identify areas of improvement that may be needed. Specifically, this data will be used to identify gaps and shortfalls in the delivery of emergency medical and trauma services. All analysis shall be public documents, provided that recipients of the emergency services remain confidential. Any patient data collected for use in analysis is required to be de-identified and is subject to existing state and federal data privacy laws. Any release of data for analysis shall be returned to the Department of Safety or destroyed and no copies shall be kept. Currently, the existing laws limit the ability to share data for analysis which inhibits the ability to change and improve patient care protocols and to propagate best practices. This bill will solve this problem while maintaining strict privacy rules to protect patient confidentiality. **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on Bill # SB337-FN

**TITLE:** AN ACT relative to emergency medical and trauma services data sharing to the purposes of analysis.

**DATE:** 4/19/2022

**LOB ROOM:** 201-3

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**MOTION:**

OTP

Moved by Rep. Acton                      Seconded by Rep. Merchant                      Vote: 21-0

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**CONSENT CALENDAR:**    **YES**                       **NO**

**Minority Report?**    Yes    No    If yes, author, Rep: \_\_\_\_\_    Motion \_\_\_\_\_

Respectfully submitted:                      baf  
\_\_\_\_\_

Rep. Beth Folsom, Clerk

STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



9/28/2021 11:15:01 AM  
Roll Call Committee Registers  
Report

2022 SESSION

**Health, Human Services and Elderly Affairs**

**Bill #:** SB337-FN      **Motion:** OTP      **AM #:** \_\_\_\_\_      **Exec Session Date:** 4/19/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearson, Mark A. Chairman	Y		
Layon, Erica J. Vice Chairman	Y		
McMahon, Charles E.	Y		
Acton, Dennis F.	Y		
Gay, Betty I.	Y		
<del>Cushman, Leah P.</del> Rep. Dolan	Y		
Folsom, Beth A. Clerk	Y		
Kelsey, Niki	Y		
King, Bill C.	Y		
Kofalt, Jim	Y		
DeLemus, Susan	Y		
<del>Weber, Lucy M.</del> Rep. Query	Y		
Mackay, James R.	Y		
Snow, Kendall A.	Y		
Knirk, Jerry L.	Y		
Salloway, Jeffrey C.	Y		
Cannon, Gerri D.	Y		
Nutter-Upham, Frances E.	Y		
Schapiro, Joe	Y		
Woods, Gary L.	Y		
Merchant, Gary	Y		
<b>TOTAL VOTE:</b>	21	0	

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

**PUBLIC HEARING on Bill # SB337-FN**

**BILL TITLE:** AN ACT relative to emergency medical and trauma services data sharing to the purposes of analysis.

**DATE:** 4/19/2022

**ROOM:** LOB 201-203

**Time Public Hearing Called to Order: 11:47am**

**Time Adjourned: 12:00pm**

**Committee Members:** Reps. M. Pearson, Layon, Folsom, Acton, McMahon, Cushman, Kelsey, Gay, B. King, Kofalt, MacKay, DeLemus, Weber, Knirk, Nutter-Upham, Salloway, Snow, Cannon, Schapiro, Woods and Merchant,

**TESTIMONY**

**Sen. Prentiss**

- Emergency medical and trauma service data
- Clarify language in law, better “sharing” of data for analysis, Privacy Committee to ensure confidentiality, TEMSES currently providing data mention regarding Narcan not being effective with some drug mixtures.

**Jeff Phillips, Dept of Safety – supports the bill**

- Data used to instruct medical community how to conduct EMS. Having analytical capabilities brings a higher level of improvements in service than just using the data for research.

Respectfully submitted,

Rep. Beth Folsom, Clerk



# House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill SB337 on 2022-04-19

Support: 1 Oppose: 0 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>
Sherman, Senator	SD 24, NH jennifer.horgan@leg.state.nh.us	An Elected Official	SD24	Support	No	No	4/19/2022 9:00 AM



SB 337-FN - AS INTRODUCED

2022 SESSION

22-3086

07/05

SENATE BILL

***337-FN***

AN ACT

relative to emergency medical and trauma services data sharing to the purposes of analysis.

SPONSORS:

Sen. Prentiss, Dist 5; Sen. Bradley, Dist 3; Sen. Watters, Dist 4; Sen. Whitley, Dist 15; Sen. Gannon, Dist 23; Sen. Kahn, Dist 10; Sen. Cavanaugh, Dist 16; Sen. Perkins Kwoka, Dist 21; Sen. Sherman, Dist 24; Rep. Soucy, Merr. 16; Rep. McGuire, Merr. 29; Rep. Merchant, Sull. 4; Rep. Murphy, Graf. 12; Rep. Goley, Hills. 8

COMMITTEE:

Health and Human Services

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ANALYSIS

This bill allows for the sharing of emergency medical and trauma services data to systems that preserve care recipient confidentiality for the purposes of data analysis.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

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

STATE OF NEW HAMPSHIRE

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

AN ACT relative to emergency medical and trauma services data sharing to the purposes of analysis.

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

1 1 Department of Safety; Bureau of Emergency Medical Services; Data Collection Modification.  
2 Amend RSA 21-P:12-b, I(g) to read as follows:

3 (g) Establish a data collection and analysis capability that provides for the evaluation of  
4 the emergency medical and trauma services system and for modifications to the system based on  
5 identified gaps and shortfalls in the delivery of emergency medical and trauma services. ~~[The]~~ **Any**  
6 **emergency medical and trauma services** data ~~[and]~~ **or** ~~[resulting]~~ analysis **collected or**  
7 **maintained by the division may** ~~[shall]~~ be provided to ~~[the bodies established under this chapter]~~  
8 **any state or federal agency or to any third party entity contracted to work on behalf of a**  
9 **federal or state entity**, provided that such use does not violate the confidentiality of recipients of  
10 emergency medical care. The provisions of RSA 153-A:35 shall be followed with regard to other uses  
11 of this data for research and evaluation purposes, and for protecting the confidentiality of data in  
12 those uses. All analyses shall be public documents, provided that the identity of the recipients of  
13 emergency medical care are protected from disclosure either directly or indirectly.

14 2 New Subparagraph; Department of Safety; Bureau of Emergency Medical Services; Limited  
15 Data Collection Participation Allowed. Amend RSA 21-P:12-b, II by inserting after subparagraph (n)  
16 the following new subparagraph:

17 (o) Notwithstanding paragraph II(g), the division is hereby authorized to execute all  
18 documents, and perform all other acts necessary to participate in the National Emergency Medical  
19 Services Information System or any similar data collection, sharing, or analysis system, provided  
20 that the data provided to any such system does not violate the confidentiality of recipients of  
21 emergency medical care. The commissioner shall review and approve any such authorization prior  
22 to sharing any data.

23 3 Emergency Medical and Trauma Services; Protected Health Information; Privacy Committee  
24 Established; Broadening of Permissible Uses of Information. Amend RSA 153-A:35, I to read as  
25 follows:

26 I. All protected health information possessed by the department shall be considered  
27 confidential, except that the commissioner, or designee, may provide emergency medical and trauma  
28 services record information to ~~[institutions and individuals]~~ **any person or entity** outside of the  
29 department who demonstrate a need for such information for the purpose of conducting health-  
30 related research **or analysis and other uses for evaluation not provided for under RSA 21-**

SB 337-FN - AS INTRODUCED

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1 **P:12-b, II(g)**. Any such release shall be conditioned upon the understanding that once the health-  
2 related research is complete that all information provided shall be returned to the department or be  
3 destroyed and no copies shall be kept. All releases of information shall be consistent with the federal  
4 Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (HIPAA) and  
5 regulations promulgated thereunder by the United States Department of Health and Human  
6 Services 45 C.F.R. part 160 and part 164. This shall include the requirement that all proposed  
7 releases of emergency medical and trauma services records information to institutions and  
8 individuals outside the department for the purposes of health-related research be reviewed and  
9 approved by the privacy committee, established in paragraph II, and the commissioner, under this  
10 section before the requested information is released.

11 4 Emergency Medical and Trauma Services; Protected Health Information; Privacy Committee  
12 Established; Broadening Permissible Uses of Information. Amend RSA 153-A:35, II to read as  
13 follows:

14 II. There is hereby established a privacy committee which shall review and approve requests  
15 for the use of emergency medical and trauma services records data for the purposes of research **or**  
16 **analyses** and other uses for evaluation not provided for under RSA 21-P:12-b, II(g). The privacy  
17 committee shall consist of 7 members who shall include the director, or designee, 4 members of the  
18 emergency medical and trauma services coordinating board, appointed by the chair of the board, and  
19 2 persons who are not affiliated with the department and who are not part of the immediate family  
20 of a person who is affiliated with the department, appointed by the commissioner.

21 5 Effective Date. This act shall take effect 60 days after its passage.

**SB 337-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to emergency medical and trauma services data sharing to the purposes of analysis.

**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable	Indeterminable	Indeterminable
<b>Funding Source:</b>	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Fire Standards and Training and Emergency Medical Services Fund			

**METHODOLOGY:**

This bill expands the Division of Fire Standards and Training and Emergency Medical Services ability to utilize emergency medical service and trauma data to include analysis purposes, provide data to other state agencies, and continue to preserve patient care confidentiality. At this time, the Department of Safety is unable to estimate the cost, if any, as the potential increase in data requests is unknown.

It is assumed any fiscal impact would not occur until FY 2023.

**AGENCIES CONTACTED:**

Department of Safety