

LEGISLATIVE COMMITTEE MINUTES

# **HB1507**

# Bill as Introduced

HB 1507 - AS INTRODUCED

2022 SESSION

22-2809  
07/05

HOUSE BILL            **1507**

AN ACT                requiring childcare investigatory findings to be timely published.

SPONSORS:            Rep. McWilliams, Merr. 27; Rep. Wazir, Merr. 17; Rep. Chretien, Hills. 42; Rep. McGuire, Merr. 29; Rep. Bartlett, Merr. 19; Rep. Marsh, Carr. 8; Rep. Vail, Hills. 30; Rep. Grossman, Rock. 18; Rep. Mangipudi, Hills. 35; Sen. Watters, Dist 4

COMMITTEE:          Health, Human Services and Elderly Affairs

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ANALYSIS

This bill revises the procedure for posting results of child day care monitoring visits on the department of health and human services website and expands the licensees' opportunity to respond to the department's findings.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    requiring childcare investigatory findings to be timely published.

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

1            1 Child Day Care Licensing; Record of Licenses and Investigatory and Monitoring Visits. RSA  
2 170-E:10, II and III are repealed and reenacted to read as follows:

3            II. Information submitted in the application process shall be private, confidential, and not  
4 available for review. However, the license itself, the findings of investigatory and monitoring visits,  
5 and final decisions relative to licensure of the child day care agency shall be considered public  
6 information, posted on the department's website, and available for review by members of the public.  
7 The findings of investigatory and monitoring visits and final decisions relative to licensure shall be  
8 posted on the department's website not less than 21 days from the date of the finding or decision,  
9 and shall be available on the website for a period of 3 years.

10           III. At least 15 business days before posting the results or findings of an investigatory visit,  
11 monitoring visit, or a final decision relative to licensure on the department's website, the department  
12 shall notify the child day care agency of its findings and the date on which the information shall be  
13 posted on the department's website. The department may provide such notice by email or, if the  
14 child day care agency has not provided an email address, by United States mail. If the child day  
15 care agency submits a response prior to the date of posting, the child day care agency's response  
16 shall also be posted on the department's website.

17           2 Effective Date. This act shall take effect 60 days after its passage.

HB 1507 - AS AMENDED BY THE SENATE

04/21/2022 1515s

2022 SESSION

22-2809

07/05

HOUSE BILL **1507**

AN ACT requiring childcare investigatory findings to be timely published.

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9 decision, and shall be available on the website for a period of 3 years.

10 III. At least 15 business days before posting the results or findings of an investigatory visit,  
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CHAPTER 202  
HB 1507 - FINAL VERSION

04/21/2022 1515s

2022 SESSION

22-2809  
07/05

HOUSE BILL

**1507**

AN ACT

requiring childcare investigatory findings to be timely published.

SPONSORS:

Rep. McWilliams, Merr. 27; Rep. Wazir, Merr. 17; Rep. Chretien, Hills. 42; Rep. McGuire, Merr. 29; Rep. Bartlett, Merr. 19; Rep. Marsh, Carr. 8; Rep. Vail, Hills. 30; Rep. Grossman, Rock. 18; Rep. Mangipudi, Hills. 35; Sen. Watters, Dist 4

COMMITTEE:

Health, Human Services and Elderly Affairs

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HB 1507 - FINAL VERSION

04/21/2022 1515s

22-2809  
07/05

STATE OF NEW HAMPSHIRE

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15 response prior to the date of posting, the child day care agency's response shall also be posted on the  
16 department's website.

202:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 17, 2022  
Effective Date: August 16, 2022



# Amendments

Amendment to HB 1507

1 Amend RSA 170-E:10, II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. Information submitted in the application process shall be private, confidential, and not  
4 available for review. However, the license itself, the findings of investigatory and monitoring visits,  
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UNAPPROVED

Health and Human Services  
April 13, 2022  
2022-1515s  
07/05

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8 posted on the department's website not less than 21 business days from the date of the finding or  
9 decision, and shall be available on the website for a period of 3 years.

# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Health and Human Services**

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

Date: March 16, 2022

**HEARINGS**

Wednesday	03/23/2022	
(Day)	(Date)	
Health and Human Services	State House 100	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m. <b>HB 230</b>	relative to child day care monitoring visits, requirements for child day care providers, and the appeals process for child day care providers.	
9:15 a.m. <b>HB 1320</b>	relative to public exposure of deceased human bodies.	
9:30 a.m. <b>HB 1507</b>	requiring childcare investigatory findings to be timely published.	
9:45 a.m. <b>HB 1003</b>	prohibiting health care providers from refusing to provide care or services based on patient vaccination status.	

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 230**

Rep. McWilliams

Rep. Yokela

Sen. Whitley

**HB 1320**

Rep. Knirk

Rep. Schultz

Rep. Marsh

Rep. Woods

Rep. Suzanne Smith

Rep. Vail

Rep. Bixby

Sen. Watters

**HB 1507**

Rep. McWilliams

Rep. Wazir

Rep. Chretien

Rep. McGuire

Rep. Bartlett

Rep. Marsh

Rep. Vail

Rep. Grossman

Rep. Mangipudi

Sen. Watters

**HB 1003**

Rep. Cushman

Rep. Kelsey

Rep. Blasek

Rep. A. Lekas

Rep. Roy

Rep. Pauer

Sen. Ricciardi

Cameron Lapine 271-2104

Jeb Bradley  
Chairman

**Senate Health and Human Services Committee**  
*Cameron Lapine 271-2104*

**HB 1507**, requiring childcare investigatory findings to be timely published.

**Hearing Date:** March 23, 2022

**Time Opened:** 10:31 a.m.

**Time Closed:** 10:37 a.m.

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

**Members of the Committee Absent:** Senator Whitley

**Bill Analysis:** This bill revises the procedure for posting results of child day care monitoring visits on the department of health and human services website and expands the licensees' opportunity to respond to the department's findings.

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**Sponsors:**

Rep. McWilliams

Rep. Wazir

Rep. Chretien

Rep. McGuire

Rep. Bartlett

Rep. Marsh

Rep. Vail

Rep. Grossman

Rep. Mangipudi

Sen. Watters

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**Who supports the bill:** Doreen Shockley and Melissa Clement (DHHS), Representative Jerry Knirk (Carroll County District 3), Senator David Watters (Senate District 4), and Clarence Skidmore.

**Who opposes the bill:** None.

**Who is neutral on the bill:** None.

**Summary of testimony presented in support:**

**Representative Jerry Knirk**

**Carroll County District 3**

- Representative Knirk introduced HB 1507 on behalf of the prime sponsor, Representative McWilliams, who could not attend the hearing.
- Rep. Knirk said that HB 1507 replaces RSA 170-E:10, II and III and stipulates that the final decisions shall be posted within 21 days and will last for three years. He said that the bill also increases the amount of time for a licensee to respond to the findings.
- Rep. Knirk said that the House Health, Human Services, and Elderly Affairs (HHSEA) Committee voted to amend HB 1507 to set the time frame at "21 business days" rather than "21 days" but that amendment got lost somewhere in the processing of the bill report and was not adopted by the House.

- Rep. Knirk said that HHSEA had a conversation about including cross-references to ensure that a provider could not rebrand their business to avoid negative findings. He said that those requirements are in rules to ensure that findings track the owner of a business, not the title.
- Rep. Knirk said that passing HB 230 would solve the problems HB 1507 aims to address. He said that if the Committee does not pass HB 230, HB 1507 should be passed with the intended HHSEA amendment.
- Senator Bradley clarified that HHSEA wanted to amend HB 1507 with the change to “business days”.
  - Rep. Knirk said that that was correct. He said that HHSEA voted Ought to Pass with Amendment but the amendment did not make it to the House Clerk’s Office in the processing process.

**Summary of testimony presented in opposition: None.**  
**Neutral Information Presented: None.**

cml  
Date Hearing Report completed: March 25, 2022

# Speakers





# Senate Remote Testify

Health and Human Services Committee Testify List for Bill HB1507 on 2022-03  
Support: 2 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Watters, Senator David	An Elected Official	Myself	Support
SKIDMORE, CLARENCE	A Member of the Public	Myself	Support

# Testimony

HB 1507

Rep Jerry Knirk, Carroll 3, on behalf of Rep McWilliams March 23, 2022

HB 1507 revises the procedure for posting results of child day care monitoring visits on the DHHS website and expands the licensees' opportunity to respond to the department's findings.

The language of HB 1507 replaces the language of RSA 170—E:10, II and III. All of the language in section II of the bill is in the original statute except for lines 7-9 which adds that the final decisions relative to licensure shall be posted on the website not less than 21 days from the date of the finding or decision and shall be available on the website for 3 years. Section III revises the notification of a child day care agency of the department's findings by increases the notification time to 15 business days before posting from the 5 days which is currently in statute.

In House HHSEA committee we amended the time in line 8 to be "21 **business days**" rather than "21 days". Interestingly, when preparing this testimony last night I noted an error in the processing of this bill in the House. I wrote the committee report as OTPA with amendment 2022-354h but when the report was published in the House it was published as only OTP and that is what was acted upon and what currently exists as the action of the House as noted in the docket. Therefore you will need to prepare an amendment to add in the word "business". I have provided a copy of the House committee amendment to assist you.

An issue which came up for discussion in the HHSEA hearing was whether we should institute a way to cross reference information on owners or operators of child day care so that even if they change the name of a daycare they would still be tracked if there had been findings relative to them. That is already covered in rules. Regarding the historical information in child care, the license is not transferable to a new owner. When a program is purchased a new license number is issued to the new owner, and the previous license history is not part of the new owner's history. When a program changes their name only, but the owner remains the same, the license number remains the same and the history of the program remains. If an existing program moves to a new location, nothing changes other than the address. The license number and history remains the same.

HB 1507 was OTPA 19-0 in HHSEA and was on the consent calendar, though as noted was acted upon as OTP on consent in the House session.

Amendment to HB 1507

1 Amend RSA 170-E:10, II as inserted by section 1 of the bill by replacing it with the following:

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9 decision, and shall be available on the website for a period of 3 years.

DRAFT PRO

# Voting Sheets

# Senate Health and Human Services Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # HR 1507

Hearing date: 3-23-22

Executive Session date: 4-13-22

Motion of: Amendment ~~HR 1507~~ 0354H Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTDA Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Gray

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Committee Report



STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, April 14, 2022

THE COMMITTEE ON Health and Human Services

to which was referred **HB 1507**

AN ACT

requiring childcare investigatory findings to be  
timely published.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1515s

Senator James Gray  
For the Committee

HB 1507 revises the procedure for posting results of child day care monitoring visits on the Department of Health and Human Services website and expands the licensees' opportunity to respond to the Department's findings. HB 1507 is a companion bill to HB 230. The Committee Amendment clarifies that the deadlines involved are business days, not calendar days.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

**HEALTH AND HUMAN SERVICES**

**HB 1507**, requiring childcare investigatory findings to be timely published.

Ought to Pass with Amendment, Vote 5-0.

Senator James Gray for the committee.

HB 1507 revises the procedure for posting results of child day care monitoring visits on the Department of Health and Human Services website and expands the licensees' opportunity to respond to the Department's findings. HB 1507 is a companion bill to HB 230. The Committee Amendment clarifies that the deadlines involved are business days, not calendar days.

**Docket of HB1507**

Docket Abbreviations

**Bill Title:** requiring childcare investigatory findings to be timely published.*Official Docket of HB1507.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
12/3/2021	H	<b>Introduced</b> 01/05/2022 and referred to Health, Human Services and Elderly Affairs
1/8/2022	H	Public Hearing: 01/11/2022 01:30 pm LOB 210-211
2/1/2022	H	Executive Session: 01/31/2022 04:00 pm LOB 210-211
3/2/2022	H	Committee Report: Ought to Pass <b>(Vote 19-0; CC)</b>
3/11/2022	H	<b>Ought to Pass: MA VV 03/10/2022 HJ 5</b>
3/15/2022	S	Introduced 02/24/2022 and Referred to Health and Human Services; <b>SJ 5</b>
3/17/2022	S	<b>Hearing:</b> 03/23/2022, Room 100, SH, 09:30 am; <b>SC 12</b>
4/14/2022	S	Committee Report: Ought to Pass with Amendment <b>#2022-1515s</b> , 04/21/2022; Vote 5-0; CC; <b>SC 16</b>
4/21/2022	S	Committee Amendment <b>#2022-1515s</b> , AA, VV; 04/21/2022; <b>SJ 9</b>
4/21/2022	S	<b>Ought to Pass with Amendment</b> 2022-1515s, MA, VV; OT3rdg; 04/21/2022; <b>SJ 9</b>
5/13/2022	H	House Concurs with Senate Amendment (Rep. M. Pearson): MA VV 05/12/2022 <b>HJ 13</b>
6/9/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); <b>SJ 13</b>
6/9/2022	H	Enrolled (in recess of) 05/26/2022
6/22/2022	H	Signed by Governor Sununu 06/17/2022; Chapter 202; 08/16/2022 <b>HJ 14</b>

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: HB 1507

Senate Committee: HHS

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):

- amendment # 0354h       - amendment # \_\_\_\_\_
- amendment # 1515s       - 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):
- Enrolled Bill Amendment(s)
- 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. Japine  
Committee Aide

6-29-22  
Date

Senate Clerk's Office Mcd