

LEGISLATIVE COMMITTEE MINUTES

SB412

Bill as
Introduced

SB 412-FN-A - AS INTRODUCED

2022 SESSION

22-2859

05/11

SENATE BILL ***412-FN-A***

AN ACT making an appropriation to the department of health and human services for nursing home reimbursement rates.

SPONSORS: Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Sen. Hennessey, Dist 1; Sen. Bradley, Dist 3; Sen. Kahn, Dist 10; Sen. Giuda, Dist 2; Sen. Reagan, Dist 17; Rep. Wallner, Merr. 10; Rep. Nordgren, Graf. 12; Rep. Rogers, Merr. 28

COMMITTEE: Finance

ANALYSIS

This bill directs the department of health and human services to increase nursing home reimbursement rates and makes a contingent appropriation to the department in the event that existing budgeted appropriations are insufficient to fund the revised rates.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 making an appropriation to the department of health and human services for nursing home reimbursement rates.

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

- 1 1 Department of Health and Human Services; Nursing Home Reimbursement Rates;
2 Appropriation. The department of health and human services is hereby directed to establish new
3 rates for nursing homes paid out of account 05-95-48-482010-2152. The average daily rate across all
4 facilities shall be equal to no less than 105 percent of the average daily rate in effect as of June 30,
5 2021, and shall be retroactive to July 1, 2021. Should budgeted appropriations be insufficient to
6 fund the revised rates, the commissioner shall transmit a letter to the governor, senate president,
7 and speaker of the house of representatives advising them of the need for additional funding.
8 Contingent upon the transmittal of said letter, and for the biennium ending June 30, 2023, an
9 amount not to exceed \$5,000,000 shall be appropriated to the department for the purpose of funding
10 the shortfall. The governor is authorized to draw a warrant for said sum out of any money in the
11 treasury not otherwise appropriated. The department may accept and expend matching federal
12 funds without prior approval of the fiscal committee.
13 2 Effective Date. This act shall take effect upon its passage.

**SB 412-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT making an appropriation to the department of health and human services for nursing home reimbursement rates.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	Up to \$5 million, as needed	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Matching federal Medicaid funds.			

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	\$0	\$0

METHODOLOGY:

This bill requires the Department of Health and Human Services to establish new nursing home reimbursement rates, with such rates retroactive to July 1, 2021. The bill stipulates that the average daily rate across all facilities shall be no less than 105 percent of the average daily rate in effect on June 30, 2021.

The final enacted FY22/23 budget contained a five percent funding increase for nursing homes above the level contained in the House-passed budget. The Department has stated that the increase may be insufficient to provide a five percent across-the-board rate increase for nursing homes relative to the rates in effect on June 30, 2021. In the event the Department determines that existing budgeted funds are insufficient, this bill requires the commissioner to communicate this finding in writing to the governor, Senate president, and speaker of the House informing them of the need for additional funding, in which case the bill allows for an appropriation of up to \$5 million.

To the extent that counties operate nursing homes that will benefit from a rate increase, they will receive an indeterminable increase in revenue as a result of this bill.

AGENCIES CONTACTED:

Department of Health and Human Services

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Department of Health and Human Services

SB 412-FN-A - AS AMENDED BY THE HOUSE

4May2022... 1582h

2022 SESSION

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SENATE BILL

412-FN-A

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COMMITTEE:

Finance

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9 June 30, 2023, an amount not to exceed \$5,000,000 shall be appropriated to the department for the
10 purpose of funding the shortfall. The governor is authorized to draw a warrant for said sum out of
11 any money in the treasury not otherwise appropriated. Any portion of said appropriation remaining
12 unspent as of June 30, 2023 shall lapse to the general fund. The department may accept and expend
13 matching federal funds without prior approval of the fiscal committee of the general court.
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AGENCIES CONTACTED:

Department of Health and Human Services

CHAPTER 237
SB 412-FN-A - FINAL VERSION

4May2022... 1582h

2022 SESSION

22-2859
05/11

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12 unspent as of June 30, 2023 shall lapse to the general fund. The department may accept and expend
13 matching federal funds without prior approval of the fiscal committee of the general court.

14 237:2 Effective Date. This act shall take effect upon its passage.

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

Committee Minutes

ATTENDANCE

SENATE CALENDAR NOTICE

Finance

15

- ✓ Sen Gary Daniels, Chair
- ✓ Sen John Reagan, Vice Chair
- ✓ Sen Bob Giuda, Member
- ✓ Sen Erin Hennessey, Member
- ✓ Sen Chuck Morse, Member
- ✓ Sen Lou D'Allesandro, Member
- ✓ Sen Cindy Rosenwald, Member

START: 3:33 pm

STOP: 3:48 pm

Date: December 29, 2021

HEARINGS

Tuesday

01/25/2022

Finance	(Day)	(Date)	State House 103	1:00 p.m.
(Name of Committee)			(Place)	(Time)

1:00 p.m.	SB 387-FN-A	making an appropriation to the body-worn and dashboard camera fund.
1:10 p.m.	SB 402-FN	granting disaster relief for two presidentially declared disasters in response to July-August 2021 flood damage sustained by communities in Cheshire and Sullivan counties.
1:20 p.m.	SB 415-FN-A	making an appropriation to the department of health and human services for the purpose of increasing rates paid to homeless shelters.
1:30 p.m.	SB 412-FN-A	making an appropriation to the department of health and human services for nursing home reimbursement rates.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 387-FN-A

Sen. Kahn	Sen. Whitley	Sen. Watters	Sen. Sherman
Sen. Gannon	Sen. Prentiss	Sen. Soucy	Rep. Cushing
Rep. Porter			

SB 402-FN

Sen. Kahn	Sen. Watters	Sen. Avard	Sen. Ward
Sen. Sherman	Sen. Ricciardi	Sen. Whitley	Sen. Rosenwald
Sen. Prentiss	Sen. Soucy	Rep. Ames	Rep. Weber
Rep. Parshall	Rep. Aron	Rep. Steven Smith	

SB 415-FN-A

Sen. Kahn	Sen. Sherman	Sen. Whitley	Sen. Watters
Sen. Rosenwald	Rep. Ames	Sen. Cavanaugh	Sen. Prentiss
Sen. Perkins Kwoka	Sen. D'Allesandro	Sen. Soucy	Rep. Amanda Bouldin

SB 412-FN-A

Sen. Rosenwald	Sen. D'Allesandro	Sen. Hennessey	Sen. Bradley
Sen. Kahn	Sen. Giuda	Sen. Reagan	Rep. Wallner
Rep. Nordgren	Rep. Rogers		

Deb Martone 271-4980

Gary L. Daniels
Chairman

Senate Finance Committee
Deb Martone 271-4980

SB 412-FN-A, making an appropriation to the department of health and human services for nursing home reimbursement rates.

Hearing Date: January 25, 2022

Time Opened: 3:33 p.m.

Time Closed: 3:48 p.m.

Members of the Committee Present: Senators Daniels, Reagan, Giuda, Hennessey, D'Allesandro and Rosenwald

Members of the Committee Absent: Senator Morse

Bill Analysis: This bill directs the department of health and human services to increase nursing home reimbursement rates and makes a contingent appropriation to the department in the event that existing budgeted appropriations are insufficient to fund the revised rates.

Sponsors:

Sen. Rosenwald
Sen. Bradley
Sen. Reagan
Rep. Rogers

Sen. D'Allesandro
Sen. Kahn
Rep. Wallner

Sen. Hennessey
Sen. Giuda
Rep. Nordgren

Who supports the bill: Senators Bob Giuda, Jeb Bradley, John Reagan and Erin Hennessey; Representative Michael Pedersen; James Monahan (NH Association of Counties); Teresa Rosenberger (NHHCA); David Sky; Joanne Casino; Laurie Gordon; Jeanne Torpey; Margaret Gordon; Janet Lucas; Doris Hampton; Kent Hackmann; Laura Aronson; Karen Campbell; Ruth Perencevich; Annie Rettew; Claudia Damon; MacKenzie Nicholson (Alzheimer's Association MA/NH Chapter); Karen Dewey; Michael Fraysse; Susan Richman; Walter King; David Holt; Paula Hurley; Kit Lord; Maureen Ellermann; Linda Burnap; Mark Lord; Nancy Brennan; Bonnie Hill; Amy Erickson; Lois Cote; Elizabeth Lewis; Kate Coon; Robert Dunn (Roman Catholic Bishop of Manchester; NH Catholic Charities); Denise Clark; Benjamin Stinson; Randy Hayes; Margaret Keeler; William Maddocks.

Who opposes the bill: Greg Moore (Americans for Prosperity-NH).

Who is neutral on the bill: Henry Lipman (NH Department of Health and Human Services)n.

Summary of testimony presented in support:

Senator Rosenwald, Prime Sponsor:

- This bill corrects an inadvertent error made in the budget. The Senate Finance Committee last spring unanimously decided to increase nursing home rates by 5 percent.
- We directed the Department to increase nursing home rates on July 1, 2020. Language inserted into HB 2 was interpreted at the time to require rates to be calculated over a much higher number of occupied beds than has been the case.
- The appropriation placed in the budget was only enough to raise rates by about .2 percent, not 5 percent. When this was realized the Department worked to be able to raise rates towards the intended rate. In October 2020 they were able to raise rates substantially.
- The Department has worked to get a state plan amendment to raise the rates to that 5 percent starting right about now. However, the budget appropriation might need an enhancement to meet the Senate's promise to the nursing homes, which was agreed to by the House and signed by the Governor.
- SB 412-FN-A appropriates up to an additional \$5 million of General Funds as a contingency. If it is not needed it will lapse.
- Revenues continue to come in strong. We can afford to do this.
- Senator Giuda stated this legislation is intended to backfill what the Department was unable to do given the restrictions that were in the language. He sought confirmation that there may be excess revenues here that may lapse back to the General Fund. Senator Rosenwald explained that is possible; that is why the bill is drawn up as a contingency. The Department felt \$5 million max would be sufficient.

James Monahan, NH Association of Counties:

- This action will have no impact on the county contribution to nursing homes. Steps already taken establishing the county cap, which is about \$126 million, would limit any expose to counties. In addition, with the last budget the cascade of funding was changed so that the county contribution comes in last. Because these are potential General Funds there would be no impact on the county contribution to this.
- We had started the biennium pre-COVID with a budget for approximately 4,200 Medicaid nursing home beds. During the pandemic admissions stopped. It dropped down to about 3,500 beds. We just don't know where this will settle out. Some facilities have restarted admissions; others have started to shut down a number of beds due to staffing shortages. It is an unsettled environment for nursing homes.
- Senator Hennessey wondered what the inflation rate was for nursing home costs currently. What's the overall increase to nursing homes? They are paying much for traveling medical professionals. Mr. Monahan indicated they would be doing a calculation soon to take a look at lost revenue for the 4th Quarter of the county year, which should give some scale of reduced revenue. There are two things driving inflation. One is their costs and the other is utilization. It is challenging.

Teresa Rosenberger, NH Health Care Association:

- When the situation was realized last spring, both the Department and the Office of the Budget Assistant offered much support, and worked with the association to resolve the situation.

Neutral Information Presented:

Henry Lipman, Medicaid Director, NH Department of Health and Human Services:

- There was an appropriation in an attempt to raise rates 5 percent.
- The nursing home reimbursement system has a complex rate setting methodology that is driven by state plan. It is affected by the number of patients, the cost reports, and reporting expenses the nursing homes made, HB 2 directed the Department to use a specific number, which was too high. That led to a suppression of rates. The average overall rate was 1.3 percent. After consulting with Legal, they were able to go back in October and adjust the rates based on more reasonable volume projections. From October 1, 2020 rates were raised to 3.66%. Again in January 2021 they were able to make an additional adjustment.
- Nursing homes go up or down, more or less, depending upon their cost structure and volume. The rate from January 1, 2021 going forward has been greater than 5 percent. But whether they will be able to maintain the 5 percent for the entire fiscal year is part of the reason why SB 412-FN-A is needed.
- We need to keep in mind the volume, patient days at nursing homes, are being suppressed at the moment. The bill carries this for the biennium. As time goes on, volumes may increase; we would need that money in the biennium to fulfill the obligation.
- Senator Giuda inquired if it were possible to quantify how much of the funds the Department might need to use to bring the biennium up to that 5 percent. Director Lipman indicated nursing facilities currently are running around 70 percent or less occupancy. That's down 10-15 percent. If that number increases, the dollars they will need will be affected.
- Senator D'Allesandro sought confirmation the rates were increased by 3 percent. Director Lipman reiterated on October 1, 2020 they were able to readjust the rates based on the volume projections on average 3.66 percent. On January 1 2021 they were able to make another adjustment at a little over 5 percent on average. Senator D'Allesandro sought to confirm at the present time they are looking to sustain that rate. Executive Director Lipman agreed. Senator D'Allesandro indicated the obligation was met. Executive Director Lipman pointed out not on an annual basis. Senator D'Allesandro indicated the money from SB 412-FN-A will take us through the rest of the year, and there may even be a lapse number. Executive Director Lipman stated the issue is what happens in 2023 regarding COVID. He believes the \$5 million will take care of the commitment.

dm

Date Hearing Report completed: January 28, 2022

Speakers

Senate Remote Testify

Finance Committee Testify List for Bills SB 412A on 2022-01-25

Support: 43 Oppose: 1

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
✓ Bradley, Senator Jeb	An Elected Official	SD3	Support
✓ Giuda, Bob	An Elected Official	Senate District 2	Support
✓ Reagan, Senator John	An Elected Official	Myself	Support
✓ Hennessey, Sen. Erin	An Elected Official	Myself	Support
✓ Sky, David	A Member of the Public	Myself	Support
✓ Casino, Joanne	A Member of the Public	Myself	Support
✗ Moore, Greg	A Lobbyist	Americans for Prosperity-New Hampshire	Oppose
✓ Gordon, Laurie	A Member of the Public	Myself	Support
✓ Torpey, Jeanne	A Member of the Public	Myself	Support
✓ Gordon, Margaret	A Member of the Public	Myself	Support
✓ Lucas, Janet	A Member of the Public	Myself	Support
✓ Hampton, Doris	A Member of the Public	Myself	Support
✓ Hackmann, Kent	A Member of the Public	Myself	Support
✓ Aronson, Laura	A Member of the Public	Myself	Support
✓ Campbell, Karen	A Member of the Public	Myself	Support
✓ perencevich, ruth	A Member of the Public	Myself	Support
✓ Rettew, Annie	A Member of the Public	Myself	Support
✓ Hennessey, Sen Erin	An Elected Official	Myself	Support
✓ Damon, Claudia	A Member of the Public	Myself	Support
✓ Nicholson, MacKenzie	A Lobbyist	Alzheimer's Association, MA/NH Chapter	Support
✓ Dewey, Karen	A Member of the Public	Myself	Support
✓ Fraysse, Michael	A Member of the Public	Myself	Support
✓ Richman, Susan	A Member of the Public	Myself	Support
✓ King, Walter	A Member of the Public	Myself	Support
✓ Holt, David	A Member of the Public	Myself	Support
✓ Hurley, Paula	A Member of the Public	Myself	Support
✓ Lord, Kit	A Member of the Public	Myself	Support
✓ Ellermann, Maureen	A Member of the Public	Myself	Support
✓ Burnap, Linda	A Member of the Public	Myself	Support
✓ Lord, Mark	A Member of the Public	Myself	Support
✓ Brennan, Nancy	A Member of the Public	Myself	Support
✓ Hill, Bonnie	A Member of the Public	Myself	Support
✓ Erickson, Amy	A Member of the Public	Myself	Support
✓ Cote, Lois	A Member of the Public	Myself	Support
✓ Lewis, Elizabeth	A Member of the Public	Myself	Support
✓ Coon, Kate	A Member of the Public	Myself	Support
✓ Dunn, Robert	A Lobbyist	Roman Catholic Bishop of Manchester	Support
✓ Clark, Denise	A Member of the Public	Myself	Support
✓ Dunn, Bob	A Lobbyist	NH Catholic Charities	Support
✓ Pedersen, Michael	An Elected Official	Hillsborough 32, Nashua Ward 5	Support
✓ Stinson, Benjamin	A Member of the Public	Myself	Support
✓ Hayes, Randy	A Member of the Public	Myself	Support
✓ Keeler, Margaret	A Member of the Public	Myself	Support
✓ Maddocks, William	A Member of the Public	Myself	Support

Testimony



NEW HAMPSHIRE
HEALTH CARE ASSOCIATION

January 24, 2022

Hon. Chairman Daniels and Members of the Senate Finance Committee:

As I'm recovering from COVID-19 I cannot attend your hearing. Moreover, an unprecedented staffing crisis, combined with COVID-19 protocols, makes it impossible for nursing home administrators to leave their facilities to attend. However, representing most of the state's nursing homes *we strongly commend to you SB 412* (making an appropriation to the department of health and human services for nursing home reimbursement rates.).

I wish I could report our state's nursing homes are recovering from COVID-19. Yet the truth is its unleashed forces that may yet decimate care for our most vulnerable Granite Staters.

While the scale of nursing home staff loss is a national phenomenon,¹ our state's red-hot service economy, and a dearth of licensed staff that was a challenge even pre-pandemic, has placed us in a heightened crisis.

Based on Medicare cost report data, New Hampshire nursing homes had an occupancy of 87.3% in 2019, which has declined to 75% as of the latest federal data. Facilities work hard to maintain quality for those they are serving: As of December 8, 2021, federal data showed that direct care hours per patient day, adjusted by the case-mix index,² were higher in New Hampshire (4.17) than any of the Northeast states other than Maine (4.47).

To an untenable degree, maintaining such staffing has required the use of predatory staffing agencies, largely based out-of-state (so-called "travelling nurses").³ Federal Trade Commission enforcement has been requested in the face of rampant price-gouging, which the state itself, which also must use such agencies to fulfill its public health duties, isn't immune from. And *maintaining* staffing is not the same as *increasing* it, which is why facilities with so many empty beds are turning away prospective residents – jamming up hospitals and denying nursing

¹See, e.g., Sarah Varney, *Nursing Homes Bleed Staff as Amazon Lures Low-Wage Workers With Prime Packages*, KAISER HEALTH NEWS (Dec. 23, 2021) ("'Chick-fil-A can raise their prices,' said Betsy Johnson, president of the Kentucky Association of Health Care Facilities. 'We can't pass the costs on to our customer. The payer of the service is the government, and the government sets the rates.'").

²As explained by the accounting firm BerryDunn, "adjusting hours by CMI allows for comparison of efficiency between facilities with varying patient demographics."

³See Roberta Baker, *Traveling nurses: a tug between supply and demand*, LACONIA DAILY SUN (Jan. 18, 2022) ("'The cost of travelers is enormous,' said Pam DiNapoli, executive director of the New Hampshire Nurses Association."). As the article notes: "Agencies are taking advantage of a free market that is not actually free, but tied to fixed rates of reimbursement, health care experts say."

home access to those in home and community-based settings that might need to step up, even if temporarily, in their care level.


Although we are *very* pro-vaccination, and most of our members already mandate staff vaccination, compliance with the federal vaccine mandate upheld by the U.S. Supreme Court will exacerbate staffing challenges for some providers in vaccine-resistant areas. As of January 9, federal data showed that 90.61% of our state's nursing home workers were vaccinated.⁴ To lose even a single, let alone several, workers amidst a workforce crisis so severe that administrators are assisting in tray service for residents will not improve the ability to build capacity. Yet we will, of course, obey the federal mandate.

As always, we are an open book. If you should desire any data, or additional information, please do not hesitate to email me at bwilliams@nhhca.org or call me on my cell phone at (360) 791-3979.

We applaud the bipartisanship behind SB 412, which would effectuate the General Court's intent to give nursing homes a 5% Medicaid rate increase last July 1 – an intent thwarted for technical reasons. We urge its passage. We regret to further ask you, however, that you work to provide additional resources – whether through remaining Coronavirus Aid, Relief, and Economic Security Act funds, or American Rescue Plan Act funds – to sustain a sector that is absolutely at the edge of a precipice.

We are in a crisis with no foreseeable end, and federal assistance has not met the sector's needs. We appreciate all that has previously been done by the state using CARES Act funds. We thank you for your compassion.

Respectfully,



Brendan W. Williams, M.A., J.D.
President & CEO

⁴See <https://data.cms.gov/covid-19/covid-19-nursing-home-data>. Our staff booster rate was the nation's 3rd-best – after Hawaii and Vermont – at 42.2 percent.

alzheimer's association®

Alzheimer's Association MA/NH Chapter • 309 Waverley Oaks Road • Waltham, MA 02452

January 24, 2022

The Honorable Gary Daniels
Chairman, Senate Finance

The Honorable John Reagan
Vice-Chairman, Senate Finance

Dear Chairman Daniels, Vice-Chairman Reagan and Members of the Committee:

Thank you for the opportunity to submit written testimony in support of SB412, an act making an appropriation to the department of health and human services for nursing home reimbursement rates. On behalf of the more than 26,000 people in our state living with Alzheimer's disease supported by over 57,000 caregivers, we write to urge your support and favorable action on this bill.

In New Hampshire, nursing facility rates are based on the level of services provided to residents at each facility and new rates are set every six months to account for changes in the facility's population and its acuity. The granite state has historically had one of the lowest Medicaid reimbursement rates across the country.

Alzheimer's and dementia patients are prevalent in long-term care settings. While only about 14% of those without dementia will utilize a nursing home, nearly 50% of those living with Alzheimer's or dementia will due to their complex health and long-term care needs. As the disease progresses, it is common for memory loss, functional impairment and psychiatric/behavioral disturbances to take place. Eventually, parts of the brain that enable a person to carry out basic bodily functions, such as walking and swallowing, are affected. In later stage dementia individuals become bed-bound and require around-the-clock care. These complexities combined with the fact that the majority of people living with the disease have more than one co-occurring chronic condition, it is critical that Alzheimer's and dementia patients have access to high quality, person-centered care.

In nursing facilities Medicaid reimbursement rates can have a direct impact on the quality of care. When facilities receive inadequate reimbursement there is little incentive to develop and invest in best practices, provide person-centered care and ensure good outcomes for their residents.

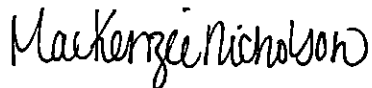
Unfortunately, the COVID-19 pandemic has had a tremendous impact on this vulnerable population and staffing in long-term care. Over the past two years, long-term care communities across the country were severely impacted, accounting for a significant share of all deaths. Residents with dementia in these facilities are particularly susceptible to COVID-19 due to their

typical age, their significantly increased likelihood of coexisting chronic conditions, and the community nature of these settings.

An existing direct care worker shortage was further magnified by the pandemic and is now visible to policymakers across the country. One facet of the workforce shortage could likely be tied to the wages of those who work in the field - of which reimbursement rates directly impact. Without appropriate staffing levels, time to comfort individuals and participate in meaningful engagement, person-centered care becomes near impossible. As we continue to experience the worst healthcare workforce shortage in our history we must do everything in our power to encourage those who provide crucial care and support to those living with Alzheimer's and dementia to stay in the field. Now is the time to take action and show the residents and staff of these facilities that we value them.

For these reasons, we ask that your committee vote Ought to Pass on SB412 to increase Medicaid reimbursement rates and ensure that those living with Alzheimer's or dementia who need residential care will have access to quality care and the facility will be reimbursed in a way that reflects the higher cost of Alzheimer's and dementia care. Please do not hesitate to contact me either through email menicholson@alz.org or by phone (603) 969-9155 if you have any questions.

Sincerely,



Mackenzie Nicholson
Public Policy Manager
Alzheimer's Association, MA/NH Chapter

President

Wendy Piper
Grafton County Commissioner

Vice President

Tom Tombarello
Rockingham County Commissioner

At Large Member

Toni Pappas
Hillsborough County Commissioner

At Large Member

Cathy Stacey
Rockingham County Register of Deeds



Association of Counties

46 Donovan Street, Suite 2
Concord, NH 03301

(603) 224-9222
(603) 224-8312 (fax)

www.nhcounties.org

Immediate Past President

Chuck Weed
Cheshire County Commissioner

Treasurer

Suzanne Collins
Coos County Treasurer

Bylaws Chair

Chris Coates
Cheshire County Administrator

January 24, 2022

The Honorable Gary Daniels
Chair
Senate Finance
State House
Concord, NH 03031

Chairman Daniels and Members of the Senate Finance Committee,

The NH Association of Counties would like to register its support for SB 412, making an appropriation to the Department of Health and Human Services for Nursing Home reimbursement rates.

This bill would increase the daily rate for individuals in any nursing home to be no less than 105% of the average daily rate in effect. Currently, most county nursing homes operate at a deficit. This action would close that gap between the rate paid and the actual costs for a resident of a nursing home. It would result in reducing pressure on county taxpayers that have consistently seen an increase of costs on their tax bills.

The Association asks for your support for SB 412. 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

January 24, 2022

Dear Chairman Daniels, Vice-Chairman Reagan and Members of the Committee:

My name is Halie DesRosiers. I'm a Manchester, New Hampshire resident and one of the thousands of Granite Staters whose lives have been touched by Alzheimer's and dementia. In 2018 my mom, Ida Mae, was diagnosed with dementia.

While my husband and I had planned to care for her in our home, things did not go as planned. She needed more supervision and care than we could provide so she went to live at a fabulous facility here in Manchester. I spent nearly all my free time visiting with her and during my mom's stay I got to meet and get to know many members of the staff. As time went on, several of her care team left the field as they were not able to live on their salaries. The staff turnover was difficult for my mom and would have likely been hard for anyone with dementia as they do not handle change well. Something needs to be done to attract new professionals to the field and retain these wonderful nurses, LNA's, and other support staff who help our most vulnerable populations.

I feel that SB412 would be a great help in attracting and retaining these much-needed individuals. With the medical staff shortage, compounded by the pandemic, not having a competitive wage makes it even more difficult to hire and retain staff. Caring for someone who lives with Alzheimer's or other type of dementia it is very costly. The amount that facilities are reimbursed is not sufficient to provide the quality of care that is needed.

There were times that due to staffing shortages, a nurse would also act as the LNA for the patients on my mom's wing. Not only were these staff dispensing medications and taking care of the resident's medical needs, but they were also handing out food trays and assisting residents with their activities of daily living (ADLs) like toileting and bathing. This is frustrating for both the staff and the residents.

My mother spent the better part of two years at this facility. As tough as some days were, I visited her almost daily. Some days more than once. Then the COVID-19 pandemic hit and her facility was no longer allowing visitors, for obvious reasons. The residents were confined to their rooms. For the residents there was little to no human interaction (other than the staff). Those with memory care issues such as dementia thrive on human interaction and person-centered care. With not being allowed to physically visit with my mother, the staff became more important than ever. They became the family that the residents, including my mom, could not visit with.

Sadly, my mom lost her battle in June 2020. Alzheimer's is a fatal, incurable disease and heartbreaking to witness. Anything we can do to help those that are affected by these diseases and the professionals that care for them is greatly needed. I ask that you vote Ought to Pass on SB412 to increase Medicaid reimbursement rates which would better allow facilities to attract and retain the quality of staff needed to care for those with Alzheimer's or dementia.

Sincerely

Halie DesRosiers

109 Green Acres Drive

Manchester, NH 03109



"WE ARE FAMILY"

January 18, 2022

Via Email- Cindy.Rosenwald@leg.state.nh.us
State House Room 120
107 North Main Street
Concord, NH 03301

Re: Senate Bill 412

Dear Senator Rosenwald

The staff, residents and families of Premier Rehab and Healthcare are grateful for your continued support and hard work on our behalf. We wanted to thank you for sponsoring Senate Bill 412. As you know, our industry has been hit especially hard by the Covid-19 pandemic with the loss of many of our beloved residents. Additionally, the pandemic has caused our expenses to increase to levels we have never seen. From higher costs for PPE, food and other supplies to our labor wages now being higher than ever. The foregoing has severely impacted Premier's operations and has caused us to freeze admissions on multiple occasions. Passing this Bill will provide us with a level of relief that will allow us to continue to care for our residents and provide them the level of care they deserve.

Sincerely,

Ari Erlichman, Owner

Voting Sheets

Senate Finance Committee

EXECUTIVE SESSION

Bill # SB 412-FN-A

Hearing date: 01/25/22

Executive session date: 01/25/22

Motion of: OTP

VOTE: 6-0

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input checked="" type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input checked="" type="checkbox"/>	Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>

Motion of: _____

VOTE: _____

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Daniels ; Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Reagan, Vice-Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Giuda	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Hennessey	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Rosenwald	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Morse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator D'Allesandro	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendments: _____

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Wednesday, January 26, 2022

THE COMMITTEE ON Finance

to which was referred SB 412-FN-A

AN ACT

making an appropriation to the department of
health and human services for nursing home
reimbursement rates.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 6-0

Senator Cindy Rosenwald
For the Committee

Deb Martone 271-4980

Docket of SB412

Docket Abbreviations

Bill Title: making an appropriation to the department of health and human services for nursing home reimbursement rates.

Official Docket of SB412.:

Date	Body	Description
12/23/2021	S	To Be Introduced 01/05/2022 and Referred to Finance; SJ 1
12/29/2021	S	Hearing: 01/25/2022, Room 103, SH, 01:30 pm; SC 1
1/26/2022	S	Committee Report: Ought to Pass, 02/03/2022; SC 5
2/3/2022	S	Ought to Pass: MA, VV; OT3rdg; 02/03/2022; SJ 2
3/23/2022	H	Introduced 03/17/2022 and referred to Finance .
4/6/2022	H	Public Hearing: 04/13/2022 11:00 am LOB 210-211
4/6/2022	H	Division III Work Session: 04/13/2022 03:00 pm LOB 210-211
4/14/2022	H	Division III Work Session: 04/18/2022 10:00 am LOB 212
4/19/2022	H	Executive Session: 04/26/2022 09:00 am LOB 210-211
4/27/2022	H	Committee Report: Ought to Pass with Amendment #2022-1582h (Vote 20-0; CC)
5/4/2022	H	Amendment # 1582h: AA VV 05/04/2022 HJ 11
5/4/2022	H	Ought to Pass with Amendment 1582h: MA VV 05/04/2022 HJ 11
5/12/2022	S	Sen. Daniels Moved to Concur with the House Amendment, MA, VV; 05/12/2022; SJ 12
6/7/2022	H	Enrolled (in recess of) 05/26/2022 HJ 14
6/6/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); SJ 13
6/22/2022	S	Signed by the Governor on 06/17/2022; Chapter 0237; Effective 06/17/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 412-FN-A

Senate Committee: FINANCE

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 # _____ ___ - amendment # _____
 ___ - amendment # _____ ___ - 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:

Debra A. Martone
 Committee Aide

06/24/22
 Date

Senate Clerk's Office AK