

# CONSENT CALENDAR

February 8, 2023

## HOUSE OF REPRESENTATIVES

### REPORT OF COMMITTEE

**The Committee on Health, Human Services and Elderly Affairs to which was referred HB 413,**

**AN ACT authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Erica Layon**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Health, Human Services and Elderly Affairs</b>
Bill Number:	<b>HB 413</b>
Title:	<b>authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes.</b>
Date:	<b>February 8, 2023</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### **STATEMENT OF INTENT**

This bill was drafted to address a perceived issue that Physician Assistants (PA) and Advanced Practice Registered Nurses (APRN) cannot currently prescribe diabetic shoes. Diabetic shoes are an important way to prevent ulcers and amputation, and fortunately the scope of practice for both PA's and APRN's currently allows them to prescribe both drugs and devices. Thankfully, this bill is unnecessary and the committee recommends Inexpedient to Legislate.

Vote 20-0.

Rep. Erica Layon  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Health, Human Services and Elderly Affairs

**HB 413**, authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Health, Human Services and Elderly Affairs. This bill was drafted to address a perceived issue that Physician Assistants (PA) and Advanced Practice Registered Nurses (APRN) cannot currently prescribe diabetic shoes. Diabetic shoes are an important way to prevent ulcers and amputation, and fortunately the scope of practice for both PA's and APRN's currently allows them to prescribe both drugs and devices. Thankfully, this bill is unnecessary and the committee recommends Inexpedient to Legislate. **Vote 20-0.**

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

**EXECUTIVE SESSION on HB 413**

**BILL TITLE:** authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes.

**DATE:** February 8, 2023

**LOB ROOM:** 210-211

**MOTIONS: INEXPEDIENT TO LEGISLATE**

Moved by Rep. Layon

Seconded by Rep. Nagel

Vote: 20-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Bill King, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on Bill # 413

BILL TITLE: ...

DATE: 2/8/23

LOB ROOM: 210-211

---

MOTION: (Please check one box)

- OTP             ITL             Retain (1<sup>st</sup> year)             Adoption of Amendment # \_\_\_\_\_  
 Interim Study (2nd year)            (if offered)

Moved by Rep. LAYON            Secoded by Rep. NABEL            Vote: 20-0

---

MOTION: (Please check one box)

- OTP     OTP/A     ITL             Retain (1<sup>st</sup> year)             Adoption of Amendment # \_\_\_\_\_  
 Interim Study (2nd year)            (if offered)

Moved by Rep. \_\_\_\_\_            Secoded by Rep. \_\_\_\_\_            Vote: \_\_\_\_\_

---

MOTION: (Please check one box)

- OTP     OTP/A     ITL             Retain (1<sup>st</sup> year)             Adoption of Amendment # \_\_\_\_\_  
 Interim Study (2nd year)            (if offered)

Moved by Rep. \_\_\_\_\_            Secoded by Rep. \_\_\_\_\_            Vote: \_\_\_\_\_

---

MOTION: (Please check one box)

- OTP     OTP/A     ITL             Retain (1<sup>st</sup> year)             Adoption of Amendment # \_\_\_\_\_  
 Interim Study (2nd year)            (if offered)

Moved by Rep. \_\_\_\_\_            Secoded by Rep. \_\_\_\_\_            Vote: \_\_\_\_\_

---

CONSENT CALENDAR:    \_\_\_ YES    \_\_\_ NO

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

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



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/6/2023 12:36:33 PM  
Roll Call Committee Registers  
Report

2023 SESSION

Health, Human Services and Elderly Affairs

Bill #: 413 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 2/8/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
MacDonald, Wayne D. Chairman	20		
Layon, Erica J. Vice Chairman	1		
Cushman, Leah P.	2		
King, Bill C. Clerk	3		
<del>Kofalt, Jim</del> NOTER, JEANINE	4		
McLean, Mark	5		
King, Seth	6		
Mazur, Lisa R	7		
Nagel, David J	8		
Polozov, Yury	9		
Weber, Lucy M.	10		
Mackay, James R.	11		
Freitas, Mary C.	12		
Cannon, Gerri D.	13		
Nutter-Upham, Frances E.	14		
Schapiro, Joe	15		
Merchant, Gary	16		
Murphy, James Michael	17		
Palmer, William S	18		
<del>Tellez, Trinidad</del> PAIGE DAVID	19		
<b>TOTAL VOTE:</b>			

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 413

**BILL TITLE:** authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes.

**DATE:** January 25, 2023

**LOB ROOM:** 210-211                      **Time Public Hearing Called to Order:** 12:38 PM

**Time Adjourned:** 12:53 PM

**Committee Members:** Reps. Layon, B. King, Cushman, Kofalt, S. King, Mazur, Nagel, Polozov, Weber, Freitas, Cannon, Nutter-Upham, Schapiro, Merchant, J. Murphy, Palmer and W. MacDonald

**Bill Sponsors:**  
Rep. A. Lekas

TESTIMONY

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

**Rep. Alicia Lekas - Hillsborough #38 - Prime sponsor - Supports**

Q: Rep. King - Why don't we remove words?

A: This is what LSR gave me - I don't know - Qualify not covered by law

Q: Rep. Layon - Would this be better in another form?

A: Maybe - I don't know enough

Q: Rep. Cushman - Would you be open to broadening the scope?

A: Yes

**Rep. Jess Edwards - Rockingham District #31 - Supports**

- Supportable - consistent
- May need more research and amendment
- Rep. Edwards is willing to help

Rep. Merchant and Rep. Weber recommend a study

Respectfully submitted,

Rep. Bill King, Clerk







# House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill HB413 on 2023-01-25

Support: 5 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-</u> <u>Germane</u>	<u>Signed Up</u>
Horgan, Kate	Concord, NH khorgan@dupontgroup.com	A Lobbyist	NH Association of Counties	Support	No	No	1/20/2023 4:01 PM
Campion, Polly	Etna, NH pollykcampion@gmail.com	A Member of the Public	Myself	Support	No	No	1/21/2023 4:37 PM
Cuzzi, David	Concord, NH david.cuzzi@prospecthillstrategies.com	A Lobbyist	NH Society of Physician Assistants	Support	No	No	1/24/2023 3:40 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2023 8:00 AM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	1/25/2023 11:34 AM

**President**  
Wendy Piper  
Grafton County Commissioner

**Vice President**  
Cathy Stacey  
Rockingham Register of Deeds

**At Large Member**  
Toni Pappas  
Hillsborough County Commissioner

**At Large Member**  
Ross Cunningham  
Merrimack County Administrator



**11 South Main Ste. 200  
Concord, NH 03301**

**info@nhcounties.org**

**www.nhcounties.org**

**Immediate Past President**  
Chuck Weed  
Cheshire County Commissioner

**Treasurer**  
Charles Nickerson  
Rockingham Finance Director

**Bylaws Chair**  
Chris Coates  
Cheshire County Administrator

January 20, 2023

Chairman Wayne McDonald  
Chairman  
House Human Services & Elderly Affairs Committee  
NH House  
Concord, NH 03301


Chairman McDonald and Members of the House Human Services & Elderly Affairs Committee,

The NH Association of Counties would like to express its support for HB 413, authorizing advance practice register nurses and physician assistants to prescribe diabetic shoes.

This bill if passed would increase the opportunity for residents in the county nursing homes to more easily access diabetic shoes that are only available by prescription. County nursing homes care for some of the most fragile populations and providing easier access to resources that they need is core to our mission as county nursing homes. The Association would request that the Committee to vote this bill ought to pass.

If you have any questions, please reach out to Kate Horgan at [khorgan@dupontgroup.com](mailto:khorgan@dupontgroup.com).

Sincerely,

  
Wendy Piper  
President  
NHAC

Patricia Anastasia

HB 413 - AS INTRODUCED

2023 SESSION

23-0579

04/08

HOUSE BILL            **413**

AN ACT                authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes.

SPONSORS:            Rep. A. Lekas, Hills. 38

COMMITTEE:          Health, Human Services and Elderly Affairs

---

ANALYSIS

This bill authorizes advanced practice nurse practitioners and physician assistants to prescribe diabetic shoes.

-----

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 Three*

AN ACT authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes.

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

- 1       1 New Paragraph: Nurse Practice Act; Scope of Practice; Prescription of Diabetic Shoes. Amend
- 2 RSA 326-B:11 by inserting after paragraph III the following new paragraph:
- 3       III-a. An APRN shall have the authority to prescribe diabetic shoes.
- 4       2 New Paragraph; Physician Assistant; Scope of Practice; Prescription of Diabetic Shoes.
- 5 Amend RSA 328-D:3-b by inserting after paragraph XVI the following new paragraph:
- 6       XVI-a. A physician assistant shall have the authority to prescribe diabetic shoes.
- 7       3 Effective Date. This act shall take effect 60 days after its passage.