

LEGISLATIVE COMMITTEE MINUTES

# **HB640**

# Bill as Introduced

HB 640 - AS INTRODUCED

2023 SESSION

23-0744  
05/10

HOUSE BILL

**640**

AN ACT

relative to cost recovery for vocational rehabilitation programs.

SPONSORS:

Rep. Hobson, Rock. 14

COMMITTEE:

Education

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ANALYSIS

This bill repeals the state's right to recover the cost of vocational rehabilitation services from an individual who receives a third party settlement or benefit award.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**HB 640 - AS INTRODUCED**

23-0744  
05/10

**STATE OF NEW HAMPSHIRE**

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

**AN ACT** relative to cost recovery for vocational rehabilitation programs.

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

- 1       1 Repeal. RSA 200-C:6-a, relative to cost recovery for vocational rehabilitation services, is
- 2 repealed.
- 3       2 Effective Date. This act shall take effect January 1, 2024.

**HB 640 - AS INTRODUCED**

LBA  
23-0744  
1/9/23

**HB - FISCAL NOTE  
AS INTRODUCED**

AN ACT                   relative to cost recovery for vocational rehabilitation programs.

**FISCAL IMPACT:**

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill, **as introduced**, as it is awaiting information from the Department of Education. The Department was contacted on 12/14/22. When completed, the fiscal note will be forwarded to the House Clerk's Office.

**AGENCIES CONTACTED:**

Department of Education

HB 640 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

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LBA  
23-0744  
1/9/23

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Department of Education



CHAPTER 137  
HB 640 - FINAL VERSION

2023 SESSION

23-0744  
05/10

HOUSE BILL           **640**

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COMMITTEE:          Education

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CHAPTER 137  
HB 640 - FINAL VERSION

23-0744  
05/10

STATE OF NEW HAMPSHIRE

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

AN ACT                   relative to cost recovery for vocational rehabilitation programs.

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

137:1 Repeal. RSA 200-C:6-a, relative to cost recovery for vocational rehabilitation services, is repealed.

137:2 Effective Date. This act shall take effect January 1, 2024.

Approved: June 30, 2023  
Effective Date: January 01, 2024

# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Education**

Sen Ruth Ward, Chair  
Sen Carrie Gendreau, Vice Chair  
Sen Timothy Lang, Member  
Sen Suzanne Prentiss, Member  
Sen Donovan Fenton, Member

Date: April 11, 2023

**HEARINGS**

Tuesday

04/18/2023

(Day)

(Date)

Education

Legislative Office Building 101 9:00 a.m.

(Name of Committee)

(Place)

(Time)

9:00 a.m.      **HB 530-LOCAL**      relative to withdrawal from a cooperative school district.

9:15 a.m.      **HB 640**      relative to cost recovery for vocational rehabilitation programs.

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 530-LOCAL**

Rep. Cordelli

**HB 640**

Rep. Hobson

Peter Mulvey 271-4063

Ruth Ward  
Chairman

**AMENDED  
SENATE CALENDAR NOTICE  
Education**

Sen Ruth Ward, Chair  
Sen Carrie Gendreau, Vice Chair  
Sen Timothy Lang, Member  
Sen Suzanne Prentiss, Member  
Sen Donovan Fenton, Member

Date: April 11, 2023

**HEARINGS**

Tuesday	04/18/2023
(Day)	(Date)
Education	Legislative Office Building 101 9:00 a.m.
(Name of Committee)	(Place) (Time)
9:00 a.m. <b>HB 530-LOCAL</b>	relative to withdrawal from a cooperative school district.
9:15 a.m. <b>HB 640</b>	relative to cost recovery for vocational rehabilitation programs.
9:30 a.m. <b>HB 364-FN</b>	relative to transportation for students attending career and technical education centers.
9:45 a.m. <b>HB 492-FN</b>	requiring the department of education to provide the house and senate standing committees responsible for education with copies of the laws and rules relative to education.

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 530-LOCAL**

Rep. Cordelli

**HB 640**

Rep. Hobson

**HB 364-FN**

Rep. Ladd

Sen. Ward

**HB 492-FN**

Rep. Tanner

Rep. Cornell

Rep. Cordelli

Sen. Watters

Rep. Myler

Rep. Cornell

Sen. Lang

Rep. Woodcock

Rep. Myler

Rep. Ellison

Peter Mulvey 271-4063

Ruth Ward  
Chairman

# Senate Education Committee

*Peter Mulvey 271-4063*

**HB 640**, relative to cost recovery for vocational rehabilitation programs.

**Hearing Date:** April 18, 2023

**Time Opened:** 9:20 a.m.

**Time Closed:** 9:25 a.m.

**Members of the Committee Present:** Senators Ward, Gendreau, Lang, Prentiss and Fenton

**Members of the Committee Absent :** None

**Bill Analysis:** This bill repeals the state's right to recover the cost of vocational rehabilitation services from an individual who receives a third party settlement or benefit award.

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**Sponsors:**

Rep. Hobson

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**Who supports the bill:** Representative Deb Hobson (*Rockingham, District 14*), Ella McAllister (*Department of Education*).

**Who opposes the bill:** None.

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

**Summary of testimony presented:**

**Representative Deb Hobson**

*Rockingham - District 14*

- Introduced HB 640, and provided that the bill was at the request of the Department of Education. Rep. Hobson further restated the bill analysis.
- The Department of Labor (*DOL*) in New Hampshire and things related to workers compensation had changed drastically over the years. Rep. Hobson provided that the Department of Labor in NH had a small subdivision that worked on workers compensation cases.
- Rep. Hobson referenced administrative rule RSA 281-A:25. Rep. Hobson further stated that due to the internal work within the DOL, the statute language for the state vocational rehabilitation program was no longer needed, hence the request to repeal.
- The allocation had historically come from the Department of Education due to their connection to students with disabilities.

- Rep. Hobson brought up testimony from the Department of Education during the House Education Committee hearings and noted that this statute was missed in a review done in 2021, and that this final repeal was house cleaning. Further added that Lisa Hatz of the Department of Education had never utilized this statute in working for the vocational rehabilitation subdivision of the Department of Education.
- Rep. Hobson provided that vocational rehab had approximately 2,600 customers, and over 50% of those customers were individuals on social security benefits. Emphasized that the community consisted of a lot of individuals who lacked resources to begin with.
- Rep. Hobson deferred further details to the Department of Education.

**Ella McAllister**

***Administrator for Policy and Training at Vocational Rehabilitation***

- Ms. McAllister asserted that vocational rehabilitation worked with individuals with disabilities trying to get them back to work. With this program, during the 1980's and 1990's they had a collaborative relationship with the DOL on workers compensation cases.
- Noted that in recent years the structure of the DOL in handling workers compensation cases, medical resources, and technology had changed, lessening the number of workers compensation cases that came to the Department of Education.
- As a result, the Department of Education did not see those cases anymore, as they were dealt with in the DOL workers compensation division.
- Ms. McAllister stated that repealing the RSA was just removing a requirement that was no longer necessary.
- Sen Ward asked why there was a fiscal note attached to the bill.
  - Ms. McAllister responded that there should not be any fiscal ramifications of this change as the department had not recovered any dollars because of the law for at least 20 years.
- Sen. Ward further clarified that the bill repealed something that was no longer enforced.
  - Ms. McAllister indicated that was correct.

PM

Date Hearing Report completed: April 21, 2023

# Speakers



# SENATE EDUCATION COMMITTEE

Date 04/18/23

Time 9:15 a.m.

Public Hearing on **HB 640**

*relative to cost recovery for vocational rehabilitation programs.*

*Please check box(es) that apply.*

**SPEAKING FAVOR** **OPPOSED**

*NAME (Please print)*

**REPRESENTING**

# SENATE EDUCATION COMMITTEE

Date 04/18/23

Time 9:15 a.m.

Public Hearing on

**HB 640**

*relative to cost recovery for vocational rehabilitation programs.*

*Please check box(es) that apply.*

**SPEAKING FAVOR OPPOSED**

**NAME (Please print)**

**REPRESENTING**

# SENATE EDUCATION COMMITTEE

Date 04/18/23

Time 9:15 a.m.

Public Hearing on

HB 640

*relative to cost recovery for vocational rehabilitation programs.*

*Please check box(es) that apply.*

**SPEAKING FAVOR OPPOSED**

**NAME (Please print)**

**REPRESENTING**

## **Senate Remote Testify**

Education Committee Testify List for Bill HB640 on 2023-04-18

Support: 0 Oppose: 0

# Voting Sheets

**Senate Education Committee**  
**EXECUTIVE SESSION RECORD**  
*2023-2024 Session*

Bill # 640

Hearing date: \_\_\_\_\_

Executive Session date: \_\_\_\_\_

Motion of: OIP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gendreau, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Lang	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Fenton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: CONSENT Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gendreau, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Lang	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Fenton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gendreau, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Lang	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Fenton	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Lang

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

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Wednesday, April 19, 2023

THE COMMITTEE ON Education

to which was referred **HB 640**

AN ACT

relative to cost recovery for vocational  
rehabilitation programs.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Timothy Lang  
For the Committee

House Bill 640 is legislation developed on behalf of the Department of Education. HB 640 would repeal RSA 200-C:6-a, eliminating the State's right to recover the costs of vocational rehabilitative services from an individual who received a third-party benefit or reward. The RSA being repealed had not been utilized in at least 20 years according to Department officials and was overlooked in prior revisions.

Peter Mulvey 271-4063



FOR THE CONSENT CALENDAR

**EDUCATION**

**HB 640**, relative to cost recovery for vocational rehabilitation programs.

Ought to Pass, Vote 5-0.

Senator Timothy Lang for the committee.

House Bill 640 is legislation developed on behalf of the Department of Education. HB 640 would repeal RSA 200-C:6-a, eliminating the State's right to recover the costs of vocational rehabilitative services from an individual who received a third-party benefit or reward. The RSA being repealed had not been utilized in at least 20 years according to Department officials and was overlooked in prior revisions.

## General Court of New Hampshire - Bill Status System

**Docket of HB640**

Docket Abbreviations

**Bill Title:** relative to cost recovery for vocational rehabilitation programs.*Official Docket of HB640.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/12/2023	H	<b>Introduced</b> (in recess of) 01/05/2023 and referred to Education <b>HJ 3 P. 23</b>
1/31/2023	H	Public Hearing: 02/10/2023 12:45 pm LOB 205-207
3/1/2023	H	Executive Session: 03/15/2023 09:30 am LOB 205-207
3/16/2023	H	Committee Report: Ought to Pass 03/15/2023 (Vote 17-2; CC) <b>HC 16 P. 8</b>
3/22/2023	H	<b>Ought to Pass:</b> MA VV 03/22/2023 <b>HJ 10 P. 13</b>
3/24/2023	S	Introduced 03/23/2023 and Referred to Education; <b>SJ 12</b>
4/11/2023	S	<b>Hearing:</b> 04/18/2023, Room 101, LOB, 09:15 am; <b>SC 18</b>
4/19/2023	S	Committee Report: Ought to Pass, 05/11/2023; Vote 5-0; CC; <b>SC 21</b>
5/11/2023	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 05/11/2023; <b>SJ 14</b>
6/20/2023	S	Enrolled Adopted, VV, (In recess 06/15/2023); <b>SJ 20</b>
6/20/2023	H	Enrolled (in recess of) 06/15/2023 <b>HJ 16 P. 14</b>
7/12/2023	H	Signed by Governor Sununu 06/30/2023; Chapter 137; Eff: 01/01/2024 <b>HJ 17</b>

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: HR 690

Senate Committee: Education

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:

[Signature]  
Committee Aide

7-31-23  
Date

Senate Clerk's Office AK