

# Senate Health and Human Services Committee

*Kyle Baker 271-2609*

**SB 221-FN**, relative to food safety.

**Hearing Date:** February 7, 2017

**Time Opened:** 2:00 p.m.

**Time Closed:** 2:20 p.m.

**Members of the Committee Present:** Senators Bradley, Avar, Gray, Fuller Clark and Hennessey

**Members of the Committee Absent :** None

**Bill Analysis:** This bill makes certain facility inspections at the discretion of the department of health and human services.

This bill is a request of the department of health and human services.

**Sponsors:**

Sen. Carson

Sen. Soucy

Sen. Fuller Clark

Rep. Kotowski

Rep. M. McCarthy

Rep. Bixby

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**Who supports the bill:** Sen. Sharon Carson, SD# 14; Sen. Donna Soucy, SD# 18; Sen. Martha Fuller Clark, SD# 21; Michael Dummont, DHHS; Coleen Smith, DHHS

**Who opposes the bill:** None

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

**Summary of testimony presented in support:**

**Senator Fuller Clark-District 21**

- Co-sponsor of SB 221, introduced on behalf of Senator Carson
- Bill makes certain facility inspections at the discretion of HHS.

**Michael Dumont- Department of Health and Human Services (Public Health) and Coleen Smith-Food Protection Program**

- In Support, department requested this bill.
- Bill seeks to revise certain problems in RSAs regarding food safety.
- The Legislative Budget Assistant (LBA) completed performance audit of the Food Protection Program in 2015.
- Formed Subcommittee to review audit and make recommendations

- Want changes made to be consistent with law and all current up to date information available.
- HHS wants more discretion on when they can perform inspections based on risk, as some establishments (such as summer camps) are inspected by another department.
- Recommendation of subcommittee was to have only one agency perform inspections.
- Subcommittee recommended a closer working relationship between HHS and other departments and agencies.
- Want to change provisional licensing, law says inspection needs to be done if a provision license is bought, but that is unnecessary sometimes.
- Need to prioritize where inspectors go based on risk or immediate need in case of emergency.
- Law on books says a fee of \$100 would be charged when inspection is performed, which has never been charged.
- Other departments also do not charge some inspection fees, as collecting fees from every location inspected (over 4000 annually) would place a large administrative burden on the department.
- Licensing fee for “food establishment” category more than covers costs in the current fee structure.
- Suggest revision to the RSA regarding dairy inspection fees, which are currently based on federal requirements.
  - Program costs \$238,000, fees bring in only \$30,000
  - The dairy inspection is supposed to be self funded but raising fees on an already struggling industry would not be a good idea. with this bill, the requirement for self funding would be removed.
- Couple other small revisions to language such moving the location of the cold storage requirements

**Senator Avard-** What was the name of the audit?

**Coleen Smith-** LBA Performance Audit

**Summary of testimony presented in opposition:**

**Neutral Information Presented:**

**Future Action:** Ought to Pass - Consent Calendar