

STATE OF NEW HAMPSHIRE



OFFICE OF LEGISLATIVE SERVICES

STATE HOUSE  
107 NORTH MAIN STREET, ROOM 109  
CONCORD, NEW HAMPSHIRE 03301-4951

**Action Minutes**

**June 5, 2020**

**Members Present:** Representatives Hatch, McGuire, Schmidt, Williams, Hoelzel, Lang\*, Schuett\*, Bershtein\*, and Karrick\*, and Senators Reagan, Dietsch, Kahn, Ward, and Watters. (\*) Indicates alternate member.

(\*\*) Part 1, Article 28-a of the N.H. Constitution was not an issue in the Committee’s discussions or decisions in this meeting.

1. The meeting was convened as a Zoom webinar at 9:00 a.m. by Rep. Hatch as Chair, who proceeded to read the script prepared by Committee staff regarding authorization for the Committee to meet remotely in accordance with the Governor’s Emergency Order #12 and pursuant to Executive Order 2020-4.

2. A roll call attendance was taken.

Members present in the webinar at this time were Reps. Hatch, McGuire, Schmidt, Williams, Hoelzel, Lang, Schuett, Bershtein, and Karrick, and Senators Reagan, Dietsch, Kahn, Ward, and Watters.

3. The Committee discussed the minutes of the Committee meeting on May 29, 2020.

Rep. Hatch moved that the minutes be approved.

Rep. Schmidt seconded.

A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. McGuire	X	
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Dietsch	X	
Sen. Kahn	X	
Sen. Reagan	X	
Sen. Ward	X	
Sen. Watters	X	

The vote was 9 “yes” and zero “no”. Rep. Hoelzel abstained because she was not present at the meeting on May 29.

The motion was adopted.

Action Minutes

**June 5, 2020**

Page 2

4. The Committee discussed Proposed Expedited Amendment to Incorporation by Reference EXIR 2020-3 of the Department of Safety (FMCSA Out-of-Service Criteria for Commercial Vehicle Transportation of School Vehicles).

The Department had submitted a conditional approval request with amended rules dated January 23, 2020 [sic].

Rep. McGuire moved that the Committee conditionally approve Proposed Expedited Amendment to Incorporation by Reference EXIR 2020-3 based on the request.

Rep. Schmidt seconded.

A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. Hoelzel	X	
Rep. McGuire	X	
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Dietsch	X	
Sen. Kahn	X	
Sen. Reagan	X	
Sen. Ward	X	
Sen. Watters	X	

The vote was 10 “yes” and zero “no”.

The motion was adopted.

5. The Committee discussed Final Proposal 2020-5 from the Department of Health and Human Services (Commissioner, Certification for Payment Standards for Foster Family Care Service Credentials). Allyson Zinno testified for the Department.

The Department had submitted a conditional approval request with amended rules dated April 28, 2020, an amended conditional approval request with amended rules dated May 29, 2020, and a revised, amended conditional approval request with amended rules dated June 3, 2020.

Jack Flanagan briefly testified, asking whether these rules were Final Proposal 2020-6.

Rep. Schmidt moved that the Committee conditionally approve Final Proposal 2020-5 based on the conditional approval request as amended by the revised, amended conditional approval request.

Rep. Williams seconded.

A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. Hoelzel	X	
Rep. McGuire	X	
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Dietsch	X	
Sen. Kahn	X	

Action Minutes

**June 5, 2020**

Page 3

Sen. Reagan	X
Sen. Ward	X
Sen. Watters	X

The vote was 10 “yes” and zero “no”.

The motion was adopted.

6. The Committee discussed Final Proposal 2020-6 from the Department of Health and Human Services (Commissioner, Foster Family Care Licensing Requirements). Allyson Zinno, General Counsel Rebecca Ross, and DCYF Director Joseph Ribsam testified for the Department.

The Department had submitted a conditional approval request with amended rules dated May 15, 2020, and an amended conditional approval request dated June 4, 2020.

Laura Condon also testified.

Sen. Reagan moved that the Committee conditionally approve Final Proposal 2020-6 based on the Department’s conditional approval request as amended by the amended conditional approval request.

Sen. Watters seconded.

After further discussion, and at the suggestion of Rep. Williams, Sen. Reagan amended his motion to add the request that the Department respond to the Committee with the results of the federal review of the DCYF’s state plan.

Sen. Watters amended his second.

A roll call vote was called on the motion as amended. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. Hoelzel		X
Rep. McGuire		X
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Dietsch	X	
Sen. Kahn	X	
Sen. Reagan	X	
Sen. Ward		X
Sen. Watters	X	

The vote was 7 “yes” and 3 “no”.

The motion was adopted.

7. The Committee discussed Final Proposal 2020-11 from the Department of Health and Human Services (Commissioner, Preventive and Protective Child Care Eligibility and Provider Enrollment). Allyson Zinno testified for the Department.

The Department had submitted a conditional approval request dated May 1, 2020 and an amended conditional approval request dated May 28, 2020.

Sen. Kahn moved that the Committee conditionally approve Final Proposal 2020-11 based on the conditional approval request as amended by the amended conditional approval request.

Rep. Schmidt seconded.

Action Minutes

**June 5, 2020**

Page 4

A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. Hoelzel	X	
Rep. McGuire	X	
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Dietsch	X	
Sen. Kahn	X	
Sen. Reagan	X	
Sen. Ward	X	
Sen. Watters	X	

The vote was 10 “yes” and zero “no”.

The motion was adopted.

8. The Committee discussed Final Proposal 2020-8 from the Insurance Department (Pharmacy Benefits). Marty Mobley and Heather Silverstein testified for the Department.

The Department had submitted a conditional approval request with amended rules dated and an amended conditional approval request with amended rules dated May 19, 2020.

Written testimony dated June 5, 2020 had been submitted prior to the meeting by Sam Hallemeier, Director, State Affairs, of PCMA.

Sen. Kahn moved that the Committee conditionally approve Final Proposal 2020-8 based on the amended conditional approval request, with the further change to amend Ins 2704.12 by adding paragraph (e) to read as follows: “(e) Any waiver granted shall expire no later than the end of the registration period. Upon renewal of the registration, the applicant may request another waiver.”

Rep. McGuire seconded.

A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. Hoelzel	X	
Rep. McGuire	X	
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Dietsch	X	
Sen. Kahn	X	
Sen. Reagan	X	
Sen. Ward	X	
Sen. Watters	X	

The vote was 10 “yes” and zero “no”.

The motion was adopted.

9. The Committee discussed emergency rules filed by agencies from March 12, 2020 to May 21, 2020.

Sen. Dietsch left during the discussion of this item.

Action Minutes

**June 5, 2020**

Page 5

The Committee took no further action.

10. The Committee discussed the provision by Committee staff of Zoom webinar invitations to Committee members for the remaining regular meetings of the Committee beginning with the regular meeting on June 19, 2020.

No further action was taken.

11. Rep. Schmidt moved that the Committee adjourn.

Sen. Reagan seconded.

A roll call vote was called. The vote was as follows:

	<u>Yes</u>	<u>No</u>
Rep. Hatch	X	
Rep. Hoelzel	X	
Rep. McGuire	X	
Rep. Schmidt	X	
Rep. Williams	X	
Sen. Kahn	X	
Sen. Reagan	X	
Sen. Ward	X	
Sen. Watters	X	

The vote was 9 “yes” and zero “no”.

The motion was adopted.

The Committee adjourned at 11:25 a.m.