



## NH SENATE PRESS RELEASE

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### **Governor Rejects Worker Safety, Unpaid Leave for COVID-19, Health care for COVID-19, and Free PPE for Small Businesses**

**CONCORD** - Today, Governor Sununu vetoed HB 1166, a portion of the Senate Democrats' Granite Promise Plan addressing worker safety and unemployment insurance.

**Senate Majority Leader Dan Feltes (D-Concord) issued the following statement in response:**

"HB 1166 was about getting people back to work – safely. As if vetoing paid family leave wasn't enough, Sununu has now vetoed *unpaid* leave for COVID-19 for good measure. Sununu continues to sweep our broken unemployment insurance system under the rug, opposes testing and health care for those impacted by COVID-19, and refuses to advance worker safety, including free PPE for small businesses. Make no mistake, Sununu's veto of HB 1166 is an attack on small businesses, worker safety, and public health, while appeasing the health insurance lobby and big corporations."

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### **On Background:**

- Governor Sununu may say the unemployment provisions discourage a return to work. However, Governor Sununu previously said unemployment benefits should go to people "if they're not comfortable" returning to work. HB 1166 is more stringent, requiring a medical provider to review the situation. For Governor Sununu's statement on this, see: <https://www.wmur.com/article/sununu-questions-covid-19-response-new-hampshire/32393257>
- HB 1166 also allocated federal funding from the CAREs Act to fix the unemployment computer system that Governor Sununu failed to address by updating the coding for expanded COVID-19 eligibility. The system left thousands crushed by job loss without benefits for weeks and months. The workers managing unprecedented numbers of unemployment cases needed to work overtime to conduct "manual" overrides in the system.

- Governor Sununu may say that HB 1166 will cost New Hampshire millions in federal money. That is a misinterpretation of federal law and not likely true. However, to the extent it is true, the following severability provision in section 8 of the bill addresses the situation entirely: “In the event the United States Department of Labor provides a written notice to the New Hampshire department of employment security that any specific statutory change in this act will result in the loss of federal funding to New Hampshire then that specific statutory change, and that specific statutory change only, shall be inoperative.”
- Governor Sununu will say his Insurance Department already took care of cost-sharing issues for COVID-19 in a guidance. The Insurance Department, arguably, did not have the legal authority to do what it did, so statutory codification was critical as some insurance companies are already arguing the guidance is not legally enforceable. Moreover, the guidance does not address all COVID-19 treatment. And, it does not address the waiving of cost-sharing for either testing or treatment if a person is out-of-network. Governor Sununu may say waiving cost-sharing for out-of-network will result in insurance companies being “price gouged” by out-of-network providers, but that makes zero sense because how much in costs an insurance company passes off to the consumer has absolutely no bearing on the prices providers charge to insurance companies. In short, Sununu is worried insurance companies will eat more of the costs and that’s the basis for the veto.