



HOUSE HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS COMMITTEE

January 17, 2019

HB 304 – Relative to Policies Required for Health Facilities and Special Health Care Service Licenses

Testimony

Good morning, Madam Chair and members of the committee. My name is Paula Minnehan, VP, State Government Relations with the New Hampshire Hospital Association (NHHA), representing all 26 of the state's community hospitals as well as all specialty hospitals.

The NHHA is opposed to HB 304. The bill would substantially modify a very important provision in the Health Facility Licensing statute.

The provision it repeals is RSA 151:2-f, I Policies Required for Health Facilities and Special Health Care Service Licenses. Specifically, **“adopt and enforce a written policy to assure that the facility provides its services to all persons who require the services the facility provides regardless of the source of payment for the services provided to any person.”**

Hospitals and other health care providers that are licensed under this chapter are required to have a charity care policy to ensure that all patients have access to the care they need, regardless of their ability to pay.

This provision was added in 2016 when **SB 481, Relative to Special Health Care Service License** bill was passed. This committee heard that bill. In fact, a couple of the members on this committee back then were cosponsors of the bill; Representative Kotowski and Representative (now Senator) Sherman. As we stated during the testimony back in 2016, the provision we are debating today was included to “assure access to services for low income individuals and those covered by Medicaid.” Those reasons remain vitally important today and we must ensure that the most vulnerable patients in our state are protected.

While I did speak to the sponsor to better understand his motivation for introducing this bill, I will let him explain his rationale for the bill. What I did tell him and what remains our primary concern is that removing this provision will not benefit patients nor improve competition. There are other ways to fairly and more appropriately encourage competition in the health care environment in NH. In fact, I would argue that health care providers that operate in New

Hampshire today are able to meet these requirements, serve the patients that seek care from them and can do so effectively and compete effectively.

By removing this provision in the law, the opportunity for “cherry picking” of the patients with insurance and/or ability to pay out of pocket will be enhanced. We do not believe this is good public policy and would strongly recommend you not support this bill. All patients deserve to have access to the same high quality of care, regardless of their ability to pay.

Thank you for the opportunity to provide our comments. For the reasons I have outlined above, we request that you find this bill Inexpedient to Legislate. I am happy to answer any questions.