



SENATE JUDICIARY COMMITTEE

April 2, 2019

HB 637 – Relative to Criminal History Background Checks by Employers and Public Agencies

Testimony

Good morning, Madam Chair and members of the committee. My name is Paula Minnehan, Senior 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 supports HB 637. Hospitals must ensure that all the employees and volunteers they employ or approve to volunteer in their facilities have gone through a criminal background check. In the last few years, there have been some significant delays in obtaining the Criminal Record Background Check (CRBC) from the NH Department of Safety. These delays, unfortunately, have led to potential employees moving to another state to obtain employment. Consequently, we are enthusiastically supportive of the provision in HB 637 to move to an online program for CRBCs.

NHHA and our members are also in agreement that removing the requirement for a notarization form to be completed prior to the release of the public criminal history. It is our understanding that this public criminal history is available at the district courts so there is currently a misunderstanding by the public regarding how accessible these public records are. Requiring the notarization leads to unnecessary administrative burden.

We have met with representatives of the NH Department of Safety and have appreciated their willingness to listen to our members' concerns about the CRBC process and we are willing to work with them as they plan for the implementation and maintenance of this new online system. This bill is the right step forward for making meaningful progress with CBRCs.

We are aware that there is a companion bill to HB 637, SB 173, which was heard in Senate ED&A in January and passed by the full Senate last month. However, there is an amendment to SB 173 that is not currently in HB 627. The amended language is under XI. "Public criminal history record information". The Senate asked for the clarification relative to violations of RSA 638:13. In order to avoid a conflict between the two bills, we would suggest this bill be amended to ensure that it is consistent with SB 173.

Thank you for the opportunity to provide our comments. We support HB 637 and encourage the committee to pass this legislation with the suggested changes to align with SB 173. I am happy to answer any questions.