



Legislative Newsletter

Keeping members informed on federal & state legislative priorities

August 14, 2025

Dear Members,

The 2025 legislative session ended on June 26, with several important changes to state health care policy signed into law by Governor Kelly Ayotte this summer. The New Hampshire Hospital Association (NHHA) tracked hundreds of bills and provided testimony in dozens of House and Senate hearings. Outlined below is a list of law changes that affect hospitals as a result of the 2025 legislative session. For more information on all our tracked bills please visit <https://www.nhha.org/resources-reports/nh-legislation/>. Additionally, NHHA advocacy staff are available for any of your questions and would welcome an opportunity to share additional insight.

The NHHA had several high priority bills introduced this year focused on the four areas identified in the NHHA's 2025 Advocacy Agenda, including hospital financial sustainability, access to care, workforce, and regulatory relief. Most notably, we shepherded legislation codifying the Medicaid Enhancement Tax/Disproportionate Share Hospital (MET/DSH) settlement agreement, a triad of bills to address patient barriers to discharge, and a new license for student respiratory therapists. We are pleased to report that all these priorities were passed this session and have been signed into law.

As our cyclical state legislative advocacy calendar concludes, we begin anew with building the NHHA's 2026 Advocacy Agenda informed by direct input from our members at several advocacy outreach sessions hosted across the state. As a reminder, NHHA has two remaining outreach sessions scheduled on August 19 and August 20. Please contact Katie Lesnyk (klesnyk@nhha.org) to register. It is our members' active involvement that enables the NHHA to be successful with our advocacy. Thank you for your continued support and engagement with our advocacy efforts.

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2025 New Hampshire Legislation

New State Laws Affecting Hospitals (as of August 14, 2025)

BUDGET

HB 1 and HB 2 SFY 26/27 State Budget

Chapters 140 and 141 of 2025

Effective Date: July 1, 2025

State budget highlights include several bills and concepts that were incorporated into the final version of the budget:

- SB 127-FN-A, relative to public guardianship and the office of the public guardian and making appropriations to the department of health and human services
- SB 131-FN-A, relative to long-term care eligibility and making an appropriation therefor
- HB 223, relative to licensing requirements for health care facilities that operate within 15 miles of a critical access hospital
- SB 288, establishing an advisory council on the system of care for healthy aging in New Hampshire

SB 127, SB 131, and SB 288 comprise the “three-legged stool” approach of addressing barriers to discharge in health care settings. SB 127 appropriates funding to grow public guardian resources for non-acute patients who need a guardian to be discharged from a hospital to a non-acute care setting. SB 131 provides appropriations to the Department of Health and Human Services (DHHS) for a contractor to assist with Medicaid long-term care eligibility determinations. Lastly, SB 288 establishes the Advisory Council on the System of Care for Healthy Aging in the State Commission on Aging to review our long-term care infrastructure and propose ideas to increase capacity.

Additionally, several provisions in HB 1 and HB 2 made changes to NH Medicaid eligibility criteria and review, premiums and co-pays. Medicaid beneficiaries will, starting in 2026, be required to work, volunteer or attend school for a minimum of 80 hours per month with some exceptions. There will also be premiums and co-pays on prescriptions and appointments, with the amount depending on family size and income.

HEALTH CARE ACCESS

HB 377-FN, relative to health care professionals administering hormone treatments and puberty blockers and relative to recognizing the second Thursday

in October as children's environmental health day

Chapter 275 of 2025

Prime Sponsor: Rep. Lisa Mazur (R)

HB 377 prohibits health care providers from prescribing puberty-blocking or cross-sex hormone medication for gender-affirming care to minors. The bill also establishes a private right of action for a minor aggrieved by a violation of the prohibition to bring action for damages and injunctive relief in superior court. There is a provision in the legislation that allows for minors and their health care providers to continue the treatment if it is commenced prior to January 1, 2026.

Effective Dates: Sections 1 and 2 (gender-affirming care) take effect January 01, 2026.

HB 632, permitting health care providers affiliated with the Veterans

Administration to certify medical accommodations on behalf of veterans residing in New Hampshire

Chapter 129 of 2025

Prime Sponsor: Rep. Henry Giasson (R)

HB 632 amends RSA 266:61-a, IX to allow a medical provider licensed in New Hampshire or by the United States Department of Veterans Affairs to certify medical accommodations for motor vehicle equipment.

Effective Date: August 23, 2025

HB 712-FN, limiting breast surgeries for minors, relative to residential care and health facility licensing, and relative to the collection and reporting of abortion statistics by health care providers and medical facilities

Chapter 287 of 2025

Prime Sponsor: Rep. Lisa Mazur (R)

HB 712-FN limits permissible breast surgery on minors to only those procedures needed to treat malignancy, injury, infection, or malformation and those needed to reconstruct the breasts after such procedures. Gender-affirming breast surgery for transgender minors is prohibited. The bill also establishes a private right of action for a minor aggrieved by a violation of the law to bring action for damages and injunctive relief in superior court.

Additionally, HB 712 establishes new requirements for facilities to collect and report abortion statistics. DHHS is instructed to establish a form in which the required data is to be filed.

Effective Dates: Section 1 (relative to breast surgery) takes effect September 30, 2025; Section 14 (abortion statistics) takes effect January 01, 2027

HEALTH CARE INFORMATION/PRIVACY

SB 138, relative to record requests by health care providers

Chapter 233 of 2025

Prime Sponsor: Sen. Tim McGough (R)

This bill requires that when a health care provider is the requestor of medical records, the transfer must be made within 14 days of the request at no cost. This is a more stringent timeframe than for other requests, including the patient's personal representative, an individual authorized to access the patient's medical record through a power of attorney or the patient's attorney.

NHHA testified in opposition to the bill in the House Health, Human Services and Elderly Affairs committee, stating that Board of Medicine administrative rules already outline the expectation for the transfer of medical records from one provider to another, therefore making this legislation redundant. However, the

legislature decided to move forward with this change in statute.

Effective Date: September 13, 2025

SB 146-FN, relative to medical examiner's certificates and medical certification of the death record

Chapter 90 of 2025

Prime Sponsor: Sen. Suzanne Prentiss (D)

This bill removes the requirement that the medical examiner must view a deceased body, in addition to making their personal inquiry into the cause and manner of death. It also removes the requirement that the person determining the cause of death shall view the deceased within 24 hours of the death.

Effective Date: August 09, 2025

HEALTH INSURANCE/OTHER INSURANCE

SB 47, requiring certain health insurance policies of a birth mother to provide coverage for a newly born child from the moment of birth

Chapter 218 of 2025

Prime Sponsor: Sen. Regina Birdsell (R)

SB 47, a request of the Department of Insurance, makes the birth mother's health insurance policy the primary policy for a newborn child, with some exceptions. It also clarifies that no additional premium shall be collected for coverage of the newborn for the first 31 days.

Effective Date: January 01, 2026

SB 121-FN, requiring notice to the insurance department of the discontinuance of certain types of insurance, including Medicare Advantage

Chapter 232 of 2025

Prime Sponsor: Sen. Kevin Avar (R)

SB 121 is a request from the Department of Insurance. Insurance carriers will now be required to provide the department with 90 days' notice prior to discontinuing a line of business, including Medicare Advantage Part C. Medicare Advantage was previously not addressed in the statute at all. The changes will be found in **RSA 402:84**.

Effective Date: 60 days after passage (September 15, 2025)

LICENSING/CERTIFICATION

HB 85-FN, relative to temporary licensure for student respiratory therapists

Chapter 162 of 2025

Prime Sponsor: Rep. Carol McGuire (R)

With high vacancy rates for respiratory therapists in NH hospitals, NHHA worked with HealthForce NH stakeholders to introduce HB 85, which establishes a new student respiratory therapist license in New Hampshire. With this law, students that have completed their first year of respiratory therapy training may obtain a temporary student license to work within their competencies and get paid. This legislation was based on temporary licensure for respiratory therapists in other states.

The Office of Professional Licensure and Certification must now establish rules for applications.

Effective Date: September 13, 2025

HB 214-FN, relative to the regulation of recreational therapists and respiratory care practitioners and relative to delaying the effective dates of various new procedures for criminal history records checks

Chapter 111 of 2025

Prime Sponsor: Rep. Carol McGuire (R)

HB 214 requires respiratory therapists to complete a survey, or opt-out form, provided by the DHHS Office of Rural Health upon their license renewal, in order to gather data on workforce in New Hampshire. This section goes into effect August 22, 2025. Additionally, a respiratory care practitioner may be issued a conditional license for up to 90 days while they await the results of a background check under certain conditions (direct supervision, etc.).

Effective Dates: Sections 1 & 3 (survey) effective August 22, 2025; Section 4 (conditional license) effective July 1, 2026.

HB 227-FN, relative to licensure for psychotherapy activities or services

Chapter 59 of 2025

Prime Sponsor: Rep. Erica Layon (R)

HB 227 repeals **RSA 329-B:28, I(b)**, the licensing exemption for psychotherapy activities or services for providers employed by state, county, or municipal agencies. This will apply to member hospitals that are state-run facilities.

Effective Date: August 01, 2025

HB 271-FN, relative to initial license requirements for licensed social work associates

Chapter 26 of 2025

Prime Sponsor: Rep. Peter Schmidt (D)

HB 271 changes the requirement for initial licensure for licensed social work associates from passing a “national proctored examination approved by the board” to passing a “uniform competence assessment examination of social work knowledge, skills and abilities approved by the New Hampshire board of mental health practice.”

Effective Date: July 13, 2025

HB 507-FN, relative to the timeline for credentialing of mental health care providers

Chapter 32 of 2025

Prime Sponsor: Rep. Alicia Gregg (R)

This law requires health insurance carriers to process credentialing applications for mental health providers within 30 days of submission. Previously, this requirement only applied to primary care providers.

Effective Date: January 01, 2026

SB 93-FN, relative to licensed nurse assistant (LNA) licensure application materials

Chapter 13 of 2025

Prime Sponsor: Sen. Daniel Innis (R)

SB 93 amends **RSA 326-B:19, I**, Nurse Practice Act, to allow applicants the option to submit documentation of successful completion of a board-approved fundamentals of nursing curriculum in place of a certificate from a nursing assistant education program for LNAs. This expands the options for acceptable application materials for LNAs, creating flexibility for education and the licensure process.

Effective Date: May 08, 2025

SB 172, banning certain contract provisions from being enforced against advanced practice registered nurses

Chapter 119 of 2025

Prime Sponsor: Sen. Suzanne Prentiss (D)

SB 172 establishes a new section of the Nurse Practice Act, **RSA 326-B:45-b** which prohibits non-compete clauses in any new or renewal advanced practice registered nurse (APRN) employment contracts or agreements.

Effective Date: August 23, 2025

SB 250, relative to pharmacist administration of long-acting injectable drugs

Chapter 123 of 2025

Prime Sponsor: Sen. David Rochefort (R)

SB 250 amends **RSA 318-B:9** to expand pharmacists' practice to include the administration of controlled drugs. The pharmacist that administers the drug would be reimbursed for the service in addition to reimbursement for the drug.

Effective Date: August 23, 2025

SB 285, relative to changing the term "physician assistant" to "physician associate"

Chapter 105 of 2025

Prime Sponsor: Sen. David Rochefort (R)

This bill, a request of the physician assistants' advocacy group, changes the professions title in NH statute from "physician assistant" to "physician associate." There are no changes to the laws regulating physician associates.

Effective Dates: June 17, 2025

MEDICAID

SB 249-FN, relative to the uncompensated care and Medicaid fund

Chapter 250 of 2025

Prime Sponsor: Sen. Regina Birdsell (R)

SB 249-FN provides the statutory framework for our MET/DSH agreement with the state. The bill also establishes a committee to study the Medicaid Enhancement Tax and Disproportionate Share Hospital fund, which must report its findings and recommendations by November 01, 2025. NHHA does not have a seat, as the committee is entirely comprised of legislators, but we will monitor the committee closely.

Effective Date: July 01, 2025

PHARMACY

SB 254, relative to controlled substance inventories and relative to surrogate parent criminal history records checks

Chapter 104 of 2025

Prime Sponsor: Sen. David Rochefort (R)

SB 254 adjusts the timeframe for required inventory of controlled substances to be in line with federal requirements. It will no longer be specifically required that practitioners conduct the inventory checks on odd-numbered years.

Effective Date: August 16, 2025

STATE GOVERNMENT/AGENCIES

HB 10-FN, establishing a parental bill of rights

Chapter 74 of 2025

Prime Sponsor: Rep. Sherman Packard (R)

HB 10 creates a new chapter, **RSA 189-B**, “Parental Bill of Rights.” While it is primarily for the purposes of parental rights in education, there are aspects of the new law related to health care. The Parental Bill of Rights affirms the rights of parents to exempt their minor children from immunizations for medical reasons or religious beliefs, and that they may request and obtain any medical records that the child’s school maintains.

Effective Date: July 1, 2025

HB 71-FN, prohibiting school facilities from being used to provide shelter for aliens; relative to department of health and human services contracts; and requiring the use of public notices before re-assessment of property values for tax purposes

Chapter 265 of 2025

Prime Sponsor: Rep. Juliet Harvey-Bolia (R)

The relevant provision affecting hospitals is the new law relative to DHHS contracts, which codifies existing expectations for any DHHS contract to include a provision requiring the contractor to comply with the “Patients’ Bill of Rights,” pursuant to **RSA 151:21**.

Effective Date: September 30, 2025

HB 72, extending the commission to study telehealth services

Chapter 5 of 2025

Prime Sponsor: Rep. Jess Edwards (R)

HB 72 extends the Commission to Study Telehealth Services, requiring the group to submit a supplemental report on or before June 30, 2026. It also adds a requirement that the commission studies synchronizing state laws and regulations with federal laws and regulations. NHHA has an appointee on the commission and we will continue to participate and provide input.

Effective Dates: May 08, 2025

HB 73, relative to harm reduction, substance misuse and the governor’s commission on alcohol and drug abuse prevention, treatment and recovery

Chapter 41 of 2025

Prime Sponsor: Rep. David Nagel (R)

HB 73 amends the statute for the Governor’s Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery to emphasize prevention and harm reduction, and add an additional member to the commission, of which NHHA is already a member.

Additionally, HB 73 establishes a definition of harm reduction in state statute.

Effective Date: June 28, 2025

HB 370, reestablishing the commission to study the delivery of behavioral crisis services to individuals with mental illness with an impairment primarily due to intellectual disability

Chapter 29 of 2025

Prime Sponsor: Rep. J.D. Bernardy (R)

The Commission to Study the Delivery of Behavioral Crisis Services was initially active in 2024. NHHA does not have a seat on the commission but will continue to monitor the commission’s work to study gaps in behavioral health care in New Hampshire for people with intellectual disabilities and recommend legislation.

The commission is scheduled to be repealed on November 01, 2027.

Effective Date: May 14, 2025

SB 29, relative to membership, jurisdiction and reports of the health care workplace safety commission and relative to health care facility reporting requirements under the workplace violence prevention program

Chapter 82 of 2025

Prime Sponsor: Sen. Cindy Rosenwald (D)

The Health Care Workplace Safety Commission was established in 2023 to analyze violence incidents and trends in health care settings and propose and support improvements to safety protocols in health care settings. This legislation was a request of the commission and adds a representative of Hampstead Hospital to the commission. It also requires health facilities to submit workplace violence or hostile words incidents monthly to the Department of Labor.

Effective Date: August 09, 2025

SB 248, establishing a committee to study palliative and hospice care in New Hampshire

Chapter 115 of 2025

Prime Sponsor: Sen. Regina Birdsell (R)

This committee, which must submit its final report by November 1, 2025, will study availability of, barriers to and recipients of hospice and palliative care services in New Hampshire. NHHA does not have an appointee but we will be monitoring the committee's work.

Effective Date: June 23, 2025

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