

Amendment to HB 1582-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to free tuition at colleges and universities for children of veterans who are
4 totally and permanently disabled; programs to aid veterans' access to employment,
5 housing, health care, and college degrees; educational assistance for members of the
6 New Hampshire national guard; tuition waivers for children in state foster care or
7 guardianship; and prohibiting higher education institutions from discriminating on
8 the basis of military, law enforcement, or veterans status.
9

10 Amend the bill by replacing all after section 2 with the following:

11
12 3 Name of Act. Sections 4-15 of this act shall be known as the Veterans Bill of Rights.

13 4 New Subdivision; Access to Health Care and Mental Health Services for Veterans. Amend
14 RSA 126-A by inserting after section 80 the following new subdivision:

15 Access to Health Care and Mental Health Services for Veterans

16 126-A:81 Access to Health Care for Veterans; Navigator Training Program.

17 I. In this subdivision, "veteran" means veteran as defined in 38 U.S.C. section 101(2).

18 II. The commissioner, in coordination with the adjutant general, shall develop and operate a
19 veteran health navigator training program to increase access to health care coverage and services for
20 veterans. The commissioner shall identify, train, and deploy veteran health navigators who have
21 direct knowledge of the veteran communities they serve. For the purposes of the training program,
22 the commissioner shall use the veterans service officers currently employed by the department of
23 military affairs and veterans services. The veteran health navigators shall help identify all federal
24 and other health benefits, coverage, and services available to veterans and their families. Veteran
25 health navigators shall coordinate with relevant departments, health care providers, and health
26 insurance programs to help veterans and their beneficiaries apply for coverage under such programs,
27 including helping veterans overcome barriers within the health care system to ensure enrollment in
28 health plans and effective delivery and coordination of health services. The activities under this
29 program shall use existing resources and structures where veterans and their families are likely to
30 be found.

31 III. Using the veteran health navigator training program under paragraph I as a source of
32 information about the needs, coverage, and treatment gaps faced by veterans and their families, the
33 commissioner shall examine all existing programs designed to increase access to affordable quality

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1 health care and to evaluate whether the needs of veterans and their families are met by those
2 programs or whether further coordination with the veteran health navigators or other steps would
3 better meet such needs. The commissioner shall execute any necessary steps identified under this
4 paragraph.

5 126-A:82 Access to Mental Health Services for Veterans.

6 I. The veteran health navigators shall identify all federal and other mental health benefits,
7 coverage, and services available to veterans and their families, including for post-traumatic stress
8 disorder, depression, and suicide prevention.

9 II.(a) In coordination with local, state, and federal governmental agencies, in consultation
10 with nonprofit corporations, service providers including Veterans Affairs Medical Centers, the
11 United States Department of Veterans Affairs, localities, and cities that have an effective prevention
12 and treatment system for mental health, the commissioner shall develop and implement a strategy
13 to reduce barriers to access to mental health services and treatment for veterans and their families
14 by:

15 (1) Identifying structural and logistical barriers to accessing treatment, including
16 perceived stigma, long out of state travel distances to receive care, and any other barriers.

17 (2) Resolving all barriers identified in subparagraph (1) that can be resolved without
18 legislative or budgetary action, including through increased coordination between departments,
19 nonprofit providers, and the federal government, application for and use of private and federal
20 grants, and other actions.

21 (b) The commissioner shall submit an annual report containing additional legislative or
22 budgetary steps that would resolve the barriers under subparagraphs (a)(1) and (2) to the president
23 of the senate, the speaker of the house of representatives, the governor, and the chairpersons of the
24 house and senate committees having jurisdiction over public health issues on or before each
25 November 1, commencing on November 1, 2021. The report shall also be posted on the department's
26 Internet website.

27 III. The commissioner shall in coordination with local, state, and federal government
28 agencies, and in consultation with nonprofits corporations, service providers including Veterans
29 Affairs Medical Centers, the United States Department of Veterans Affairs, localities, and cities that
30 have effective prevention and treatment systems for mental health, enhance and strengthen suicide
31 prevention programs in keeping with proven best practices and research, by:

32 (a) Identifying and applying for federal and private grants focused on veteran suicide
33 prevention;

34 (b) Coordinating local, state, federal, and nonprofit programs that include community-
35 based approaches for at-risk veterans and veterans at large;

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1 (c) Providing technical assistance to communities to develop strategic plans to reduce
2 veteran suicide, including through coordination and participation by local leaders, faith
3 communities, schools, workplaces, and other stakeholders; and

4 (d) Evaluating community strategic plans within the state and disseminating learnings
5 and best practices to optimize the impact of efforts by all partners and stakeholders.

6 IV.(a) The commissioner shall create a centralized provider database, identifying by region
7 mental health providers with expertise and ability to assist veterans and their families, including
8 highlighting providers with training or experience in the prevention and treatment of veteran
9 suicide.

10 (b) Using existing resources, and incorporating best practices and research from the
11 United States Department of Veterans Affairs, and state and nonprofit services providers in New
12 Hampshire, the commissioner shall develop a continuing education course for mental health
13 providers in New Hampshire to obtain expertise in veteran suicide assessment, prevention,
14 treatment, and risk management and make that program available for free to providers in regions of
15 New Hampshire identified in subparagraph (a) as lacking sufficient trained providers.

16 (c) From existing or appropriated resources, the commissioner shall identify evidence-
17 based best practices to increase awareness of any veteran suicide prevention hotline in New
18 Hampshire or nationally, and other crisis resources with proven effectiveness to reduce veteran
19 suicide.

20 5 Report Required. On or before April 1, 2021, the commissioner of the department of health
21 and human services shall produce a report of the findings, including the impact that Medicaid
22 expansion has had to date for the veterans and their families, recommendations and any additional
23 legislative action or budget actions required relative to RSA 126-A:81, II as inserted by section 4 of
24 this act to the president of the senate, the speaker of the house of representatives, the governor, and
25 the chairpersons of the senate and house committees having jurisdiction over public health issues.
26 For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

27 6 Business Finance Authority; Capital Access Program. Amend RSA 162-A:12, II to read as
28 follows:

29 II. The amount of the authority's contribution to a CAP fund shall not exceed 10 percent of
30 the principal amount of the CAP loans to be secured by the CAP fund. As a condition of the
31 authority making a contribution to a CAP fund, the authority may require the borrower or the
32 participating state bank or state credit union to make a contribution to the CAP fund and may
33 impose such other conditions or requirements as the authority may deem necessary or desirable;
34 ***provided that no veteran-owned business borrower shall be required to pay a fee or***
35 ***contribution into the CAP fund.*** All moneys contributed to a CAP fund shall be held in the name
36 of the authority. Investment earnings on the CAP fund shall be credited to the fund, and such
37 earnings shall be periodically paid to the authority unless the CAP participation agreement

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1 otherwise provides. ***For the purposes of this paragraph, "veteran" means veteran as defined***
2 ***in 38 U.S.C. section 101(2).***

3 7 New Sections; Department of Employment Security; Workforce Needs Projections for
4 Veterans; Training and Apprentices Programs. Amend RSA 282-A by inserting after section 117-a
5 the following new sections:

6 282-A:117-b Workforce Needs Projections for Veterans; Report. The commissioner shall produce
7 a monthly, written report, which shall also be published on the department's public Internet site,
8 detailing the state's workforce needs projections, by industry, job type, geography, and needed
9 credential. The report shall include comparisons of projected workforce needs with existing
10 workforce needs and availability of in-demand fields in this state and shall highlight, on a county-by-
11 county basis, the industries, job types, and credentials which are most in demand in the state. The
12 report shall also identify and map, on a county-by-county basis, those in-demand positions and
13 credentials that are best suited to the skills, experience, and credentials possessed by veterans. The
14 commissioner shall forward the report every month to all appropriate military placement offices,
15 recruitment centers, education centers, nonprofit programs, and any other state or local agency
16 working to connect veterans with jobs. For the purposes of this section, "veterans" means veterans
17 as defined in 38 U.S.C. section 101(2).

18 282-A:117-c Training and Apprentices Programs for Veterans; Report. The adjutant general in
19 cooperation with the commissioners of the departments of labor and employment security shall
20 annually review and submit a report detailing all apprentice, training, and other vocational
21 programs in this state focused on providing job training and placement to returning military service
22 members and veterans. The annual report shall evaluate the costs and results of such programs and
23 propose legislation to expand or revise such programs, an estimate of the benefits to the state to be
24 gained from program expansion, and recommendations for sources of funding. The initial report
25 shall be submitted to the president of the senate, the speaker of the house of representatives, the
26 chairpersons of the senate and house committees with jurisdiction in veterans issues and in
27 professional licensing issues, the senate clerk, the house clerk, and the governor within 60 days of
28 the effective date of this section. For the purposes of this section, "veterans" means veterans as
29 defined in 38 U.S.C. section 101(2).

30 8 New Sections; Department of Military Affairs and Veterans Services; Programs and Report
31 Added. Amend RSA 110-B by inserting after section 73 the following new sections:

32 110-B:73-a Military Skills Test Waiver Program. The adjutant general shall take necessary
33 steps to increase veterans' awareness of and participation in the Federal Motor Carrier Safety
34 Administration's Military Skills Test Waiver Program. The adjutant general shall include
35 information about the program and a link to the program's website on department's public Internet
36 site and shall coordinate with military placement and training programs to disseminate information

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on the program to veterans with relevant experience newly locating in New Hampshire. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

110-B:73-b Acceptance of Military Training and Experience in Professional Licensing; Report. The adjutant general and the executive director of the office of professional licensure and certification shall jointly conduct a review of all state licenses for which military veterans may have relevant training or experience and identify any steps that can be taken without further legislation; develop recommendations and proposed legislation designed to increase the acceptance of military training and experience toward professional licensing; and submit a report to the president of the senate, the speaker of the house of representatives, the chairpersons of the senate and house committees with jurisdiction in veterans issues and in professional licensing issues, the senate clerk, the house clerk, and the governor within one year of the effective date of this section, and annually thereafter. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

110-B:73-c End Veterans Homelessness Program.

I. The adjutant general, in conjunction with providers of services for veterans experiencing homelessness in New Hampshire, shall establish a program to end veterans homelessness in 3 years. The term "end veterans homelessness" shall have the same meaning as in the most recently released report by the United States Interagency Council on Homelessness. For the purposes of this section, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

II. In coordination with local, state, and federal government agencies and nonprofits, and in consultation with states and cities that have achieved an end to veterans homelessness in accordance with the above criteria, the adjutant general shall develop and implement strategies including but not limited to:

(a) Coordinating a community outreach and a common assessment tool to identify veterans experiencing homelessness and assessing the types and severity of risk and vulnerability being faced by veterans experiencing homelessness.

(b) Developing a comprehensive listing of the names of veterans who are experiencing homelessness, prioritized based on degree of vulnerability.

(c) Sharing data between all relevant veterans' service providers, state agencies, nonprofit organizations, and VA medical centers.

(d) Increasing coordination and streamlining processes for appropriate veterans' housing placements.

(e) Connecting veterans experiencing homelessness to health, mental health, employment, entrepreneurship, and training resources through the services described under RSA 126-A:81, RSA 126-A:82, RSA 162-A:9-b, RSA 282-A:117-b, RSA 282-A:117-c, RSA 110-B:73-a, RSA 110-B:73-b, RSA 153-A:20, XXV, RSA 187-A:20-d, RSA 188-F:16-b, RSA 326-B:9, XIII, and RSA 328-D:10, I(j).

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1 (f) A commitment to the principles of Housing First, as developed by the United States
2 Interagency Council on Homelessness.

3 (g) Identifying and applying for funding, as needed from private, foundation, and other
4 partners.

5 9 New Paragraph; Emergency Medical Care Providers; Rulemaking. Amend RSA 153-A:20 by
6 inserting after paragraph XXIV the following new paragraph:

7 XXV. Implementing strategies and procedures necessary to increase the acceptance of
8 military training and experience towards licensure for military veterans seeking to be licensed as an
9 emergency medical care provider. For the purposes of this subparagraph, "veterans" means veterans
10 as defined in 38 U.S.C. section 101(2).

11 10 New Section; State College and University System; Credit for Military Experience and
12 Training. Amend RSA 187-A by inserting after section 20-c the following new section:

13 187-A:20-d Academic Credit and Course Registration for Veterans.

14 I. A veteran who enrolls as a student at an institution within the university system shall be
15 granted maximum credits allowed by the institution's required accreditation standards or state
16 licensure requirements towards his or her degree for the completion of courses that were part of such
17 veteran's military training or service if the such courses meet the standards of the American Council
18 on Education, or its equivalent, for the awarding of academic credits. No fee, tuition, or other charge
19 shall be assessed against a veteran who qualifies for such credit pursuant to this section. For the
20 purposes of this section, "veteran" means veteran as defined in 38 U.S.C. section 101(2).

21 II.(a) Institutions within the state university system that offer an early course registration
22 period shall also offer early course registration to students who are veterans or national guard
23 members.

24 (b) A student who is called to active duty in the armed forces of the United States, after
25 having attended regularly for 85 percent of the length of the course as determined by the academic
26 calendar of class or having completed 85 percent of the term's work, shall be given an opportunity to
27 complete necessary course work within 12 months utilizing the Internet or United States Postal
28 Service correspondence or other available communication methods for each course in which such
29 student is earning a grade of C or better in the term the student is called to active duty service.

30 (c) Students called to active duty in the armed forces of the United States shall have
31 their tuition refunded or credited, whichever is deemed appropriate by the institution based on how
32 the term was paid for, without credits awarded.

33 (d) A veteran with no previous college experience shall be permitted to file an admission
34 application and enroll in the current open registration period pending completion of their application
35 and provision of supporting documents.

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1 (e) Within 12 months of return from active duty, a veteran may register for courses after
2 normal registration period ends without late fees or other penalties until the latest allowable
3 registration date.

4 III. The board of trustees shall establish policies necessary to implement this section.

5 11 New Section; Community College System of New Hampshire; Academic Credit and Course
6 Registration for Veterans. Amend RSA 188-F by inserting after section 16-a the following new
7 section:

8 188-F:16-b Academic Credit and Course Registration for Veterans and Active Duty Services
9 Members.

10 I. A veteran who enrolls as a student at an institution within the community college system
11 shall be granted academic credit for the completion of courses that were part of such veteran's
12 military training or service if the such courses meet the standards of the American Council on
13 Education, or its equivalent, for the awarding of academic credits and are applicable to the veteran's
14 program of study. No fee, tuition, or other charge shall be assessed against a veteran who qualifies
15 for such credit pursuant to this section. Nothing in this paragraph shall be construed to alter
16 established curriculum, program, or degree requirements. For the purposes of this section, "veteran"
17 means veteran as defined in 38 U.S.C. section 101(2).

18 II.(a) Institutions within the community college system that offer an early course
19 registration period shall also offer early course registration to students who are veterans or national
20 guard members.

21 (b) A student who is called to active duty in the armed forces of the United States, after
22 having completed 85 percent of the term's work, shall be given a reasonable opportunity to attain
23 full credit for each course in which he or she has attained a grade of C or better prior to being called
24 to active duty. A reasonable opportunity may include the opportunity to accelerate completion of
25 course work prior to reporting for active duty or complete coursework within a reasonable time after
26 return from active duty.

27 (c) Students called to active duty in the armed forces of the United States shall have
28 their tuition refunded or credited, whichever is deemed appropriate by the institution based on how
29 the term was paid for, without credits awarded.

30 (d) A veteran shall be permitted to file an admission application up to the end of the
31 regular course registration period, and shall be permitted to begin classes pending completion of
32 their application and provision of supporting documents. Nothing in this subparagraph shall be
33 construed to alter established admissions, course prerequisites, curriculum, programs or degree
34 requirements.

35 (e) Within 12 months of return from active duty, a veteran may register for courses after
36 normal registration period ends without late fees or other penalties. This subparagraph shall not be
37 construed to require extension of registration period beyond the normal add/drop deadline.

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1 III. The board of trustees shall establish policies necessary to implement this section.

2 12 New Paragraph; Nurse Practice Act; Rulemaking. Amend RSA 326-B:9 by inserting after
3 paragraph XII the following new paragraph:

4 XIII. The implementation of strategies and procedures necessary to increase the acceptance
5 of military training and experience towards licensure for military veterans seeking to be licensed as
6 a nurse. For the purposes of this subparagraph, "veterans" means veterans as defined in 38 U.S.C.
7 section 101(2).

8 13 Physician Assistant; Rulemaking. Amend RSA 328-D:10, I(j) to read as follows:

9 (j) ***The implementation of strategies and procedures necessary to increase the***
10 ***acceptance of military training and experience towards licensure for military veterans***
11 ***seeking to be licensed as a physician assistant. For the purposes of this subparagraph,***
12 ***"veterans" means veterans as defined in 38 U.S.C. section 101(2).***

13 (k) Except as provided in paragraph II, any other matter which is consistent with the
14 legislative intent of this chapter and which is necessary to the administration of this chapter.

15 14 Recognition of Military Training and Experience; Reports. The adjutant general, the
16 commissioner of the department of safety, the executive director of the office of professional licensure
17 and certification, and the licensing authorities for nursing under RSA 326-B, physician assistants
18 under RSA 328-D, and emergency medical care providers under RSA 153-A:11, shall jointly conduct
19 a review of all licensing procedures for each profession listed in this section and develop
20 recommendations and proposed legislation designed to increase the recognition of military training
21 and experience toward licensing in such professions, and shall submit a report to the president of the
22 senate, the speaker of the house of representatives, the chairpersons of the senate and house
23 committees with jurisdiction in veterans issues and in professional licensing issues, the senate clerk,
24 the house clerk, and the governor within one year of the effective date of this section. For the
25 purposes of this subparagraph, "veterans" means veterans as defined in 38 U.S.C. section 101(2).

26 15 Applicability. Sections 4, 5 and 8 of this act shall take effect when the department of
27 military affairs and veterans services receives sufficient funding for 3 positions required to carry out
28 the purposes of those sections as certified by the adjutant general to the director of legislative
29 services and the secretary of state.

30 16 Postsecondary Educational Assistance; Definitions. Amend RSA 110-B:63-b, III-VI to read as
31 follows:

32 III. "Educational assistance" means the waiver of the tuition cost of a course at a state-
33 supported postsecondary institution[~~, provided that there is space available in that course~~].

34 IV. "New Hampshire national guard" means federally-recognized units of the New
35 Hampshire national guard.

36 V. [~~"Space available" means any allocated seating in a course not filled by paying students.~~]

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1 ~~VI.]~~ "Tuition" means the total semester, quarter, or classroom hour cost of instruction to the
2 student as established by the university system board of trustees or the board of trustees of the
3 community college system of New Hampshire.

4 17 Post Educational Assistance; Educational Assistance Authorized; Minimum Requirements.
5 Amend the introductory paragraph and paragraph I of RSA 110-B:63-c to read as follows:

6 Members of the New Hampshire national guard may take courses tuition-free ~~[on a space~~
7 ~~available basis]~~ in state-supported postsecondary institutions. ***The admission of a New***
8 ***Hampshire national guard member shall be in accordance with the state-supported***
9 ***postsecondary institution's standard student admissions criteria policies and practices.*** In
10 order to be eligible to receive educational assistance under this subdivision, a member of the New
11 Hampshire national guard shall:

12 I. Be ~~[an]~~ ***a sworn in*** active member of the New Hampshire national guard residing either
13 in-state or out-of-state ~~[who has completed advanced individual training or commissioning].~~

14 18 Postsecondary Educational Assistance: Eligibility. Amend RSA 110-B:63-d to read as follows:
15 110-B:63-d Eligibility ~~[and Space Availability]~~ Determinations.

16 ~~[I.]~~ Eligibility for educational assistance provided by this subdivision shall be determined
17 and monitored by the adjutant general, who shall adopt rules, pursuant to RSA 541-A, and
18 procedures deemed by the adjutant general to be necessary to carry out and monitor the educational
19 assistance provided by this subdivision.

20 ~~[II. The chancellor of the university system for the university system and the chancellor of~~
21 ~~the community college system of New Hampshire for the community college system of New~~
22 ~~Hampshire shall establish policies for determining when a course has space available.]~~

23 19 Postsecondary Educational Assistance; In-State Tuition for New Hampshire National Guard
24 Nonresidents. Amend RSA 110-B:63-f to read as follows:

25 110-B:63-f In-State Tuition for New Hampshire National Guard Nonresidents. Any member of
26 the New Hampshire national guard who is an otherwise eligible out-of-state resident who cannot
27 qualify for educational assistance under this subdivision~~[- due to unavailability of space for members~~
28 ~~attending tuition free,]~~ may take such course at the in-state tuition rate.

29 20 Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b, I
30 to read as follows:

31 I. An eligible individual who enrolls full-time ***or part-time, with the approval of the***
32 ***division for children, youth and families,*** in a program leading to a certificate, associate, or
33 bachelor degree at any public postsecondary institution within the state shall not be required to pay
34 tuition ~~[or fees for attendance at such institution]~~ ***or mandatory fees for attendance at such***
35 ***institution.***

36 21 Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b,
37 III(a) to read as follows:

1 III.(a) Eligible individuals interested in a tuition waiver shall annually apply on forms
2 provided and within the deadlines established by the university system of New Hampshire and the
3 community college system of New Hampshire for their respective institutions. No more than 15
4 tuition waivers per year shall be granted by the university system of New Hampshire and no more
5 than 15 tuition waivers per year shall be granted by the community college system of New
6 Hampshire. The university system of New Hampshire and the community college system of New
7 Hampshire shall have the authority to develop eligibility criteria for their respective institutions
8 designed to give the children with the greatest financial need first priority in the tuition waiver
9 program. Such eligibility criteria shall also include provisions for continuing eligibility based on
10 continued full-time ***or part-time, with the approval of the division for children, youth and***
11 ***families***, enrollment and satisfactory academic progress as defined by the institution.

12 22 State College and University System, Prohibition on Preferential Treatment. Amend RSA
13 187-A:16-a, I to read as follows:

14 I.(a) Within the state college and university system, there shall be no preferential
15 treatment or discrimination in recruiting, hiring, promotion, or admission based on race, sex,
16 national origin, religion, or sexual orientation.

17 (b) ***Within the state college and university system, there shall be no***
18 ***discrimination based on an applicant's or employee's law enforcement, military, or veteran***
19 ***status.***

20 23 Community College System of New Hampshire; Prohibition on Preferential Treatment.
21 Amend RSA 188-F:3-a, I to read as follows:

22 I.(a) Within the state's community college system, there shall be no preferential treatment
23 or discrimination in recruiting, hiring, promotion, or admission based on race, sex, national origin,
24 religion, or sexual orientation.

25 (b) ***Within the state's community college system, there shall be no***
26 ***discrimination based on an applicant's or employee's law enforcement, military, or veteran***
27 ***status.***

28 24 Effective Date.

29 I. Sections 4, 5, and 8 of this act shall take effect as provided in section 15 of this act.

30 II. Sections 16-21 of this act shall take effect July 1, 2021.

31 III. The remainder of this act shall take effect 60 days after its passage.

2020-1327s

AMENDED ANALYSIS

This bill:

I. Establishes a tuition waiver at any institution in the university system or community college system of New Hampshire for a child of a totally and permanently disabled veteran.

II. Requires the commissioner of the department of health and human services to develop and operate a veteran health navigator training program for the existing veterans service officers under the department of military affairs and veterans services to provide veterans and their families with increased access to health care and mental health services.

III. Requires the commissioner of the department of employment security to publish a monthly workforce needs assessment report for veterans.

IV. Requires the adjutant general to take steps to increase veterans' awareness of the military skills test waiver program; increase acceptance of military training and experience towards the licensing requirements in certain occupations and professions; and establish an end veterans homelessness program.

V. Requires the university system and community college system of New Hampshire to award college credit for military training courses completed and to increase flexibility in application and course registration procedures for veterans.

VI. Requires the adjutant general to review expanded training and apprenticeship programs for providing job training for veterans and to submit a report detailing the findings.

VII. Amends postsecondary educational assistance for members of the New Hampshire national guard and authorizes tuition waivers for children in state foster care or guardianship for part-time enrollment in programs in public postsecondary institutions.

VIII. Prohibits a higher education institution from discrimination on the basis of law enforcement, military, or veteran status.