

Amendment to SB 85-FN-A

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

2

3 3 New Subdivision; Study Commission on Sustainable Funding of Behavioral Health Crisis
4 Programs. Amend RSA 135-C by inserting after section 67 the following new subdivision:

5 Study Commission on Sustainable Funding of Behavioral Health Crisis Programs

6 135-C:68 Commission on Behavioral Health Crisis Services Established.

7 I. There is established a study commission on sustainable funding of behavioral health crisis
8 programs.

9 (a) The study commission's duties shall include, but not be limited to:

10 (1) Studying the models used in other regions and states for sustainable financing
11 for delivery of behavioral health crisis programs.

12 (2) Discussing the feasibility of implementing different models for sustainable
13 financing for delivery of behavioral health crisis programs.

14 (3) Identifying and recommending means to establish sustainable financing for
15 delivery of behavioral health crisis programs, both legislative and non-legislative.

16 (4) Creating a report on the available sustainable funding sources available for
17 financing delivery of behavioral health crisis programs

18 (b) The members of the commission shall be as follows:

19 (1) Three members of the house of representatives, appointed by the speaker of the
20 house of representatives.

21 (2) One member of the senate, appointed by the president of the senate.

22 (3) The commissioner of the department of health and human services, or designee.

23 (4) The director of the department of safety, division of emergency services and
24 communications (E 911), or designee.

25 (5) The commissioner of the insurance department, or designee.

26 (6) One representative from the National Alliance on Mental Illness of New
27 Hampshire, appointed by that organization.

28 (7) One representative of the New Hampshire Community Behavioral Health
29 Association, appointed by the association.

30 (8) One representative of the New Hampshire Hospital Association, appointed by the
31 association.

32 (9) One representative of New Futures, appointed by the organization.

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1 (10) One representative of the University of New Hampshire Institute on Health
2 Policy and Practice, appointed by that organization.

3 (11) One representative from each of New Hampshire's 2 centers participating in the
4 National Suicide Prevention Lifeline network.

5 (12) One representative of America's Health Insurance Plans (AHIP), appointed by
6 the association.

7 (13) One representative of community mental health centers appointed by the Bi-
8 State Primary Care Association.

9 (c) All appointing authorities shall coordinate their appointments so that diversity of
10 gender, race, sexual and gender orientation, and geographical areas is reflective of the makeup of
11 this state.

12 (d) Legislative members of the commission shall receive mileage at the legislative rate
13 when attending to the duties of the commission.

14 (e) The commission shall elect a chairperson from among the members. The first
15 meeting of the commission shall be called by the first-named senate member. The first meeting of
16 the commission shall be held within 45 days of the effective date of this section. Ten members of the
17 commission shall constitute a quorum.

18 (f) The commission shall report its findings and any recommendations for proposed
19 legislation to the speaker of the house of representatives, the president of the senate, the house
20 clerk, the senate clerk, the governor, and the state library on or before November 1, 2024. The
21 chairperson of the study commission shall electronically file the final report with the clerk of the
22 house of representative or clerk of the senate, and the clerks of the respective bodies shall post the
23 report on the general court website. The clerks of the respective bodies shall then send a copy of the
24 report to the standing committee of each body with jurisdiction over the subject matter of the report.

25 4 Insurance; Coverage for Emergency Services; Definitions. Amend the introductory paragraph
26 of RSA 417-F:1, I to read as follows:

27 I. "Emergency services" means health care services that are provided to an enrollee, insured,
28 or subscriber in a licensed hospital emergency facility **or as set out in RSA 417-F:5** by a provider
29 after the sudden onset of a medical **or mental health** condition **or substance use disorder** that
30 manifests itself by symptoms of sufficient severity that a prudent layperson with average knowledge
31 of health and medicine could reasonably expect that the absence of immediate medical **or mental**
32 **health** attention could be expected to result in any of the following:

33 5 New Section; Coverage for Emergency Services; Emergency Mental Health Services. Amend
34 RSA 417-F by inserting after section 4 the following new section:

35 417-F:5 Emergency Mental Health Services. Whenever mental health services are a covered
36 benefit under a health benefit plan subject to this chapter, community based mental health crisis
37 intervention services that otherwise meet the definition of emergency services as set out in RSA 417-

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1 F:1, I shall be treated as emergency services under this chapter without the requirement of being
2 provided in a licensed hospital emergency facility if such services are provided under the program
3 established in RSA 167:3-1, III.

4 6 Repeal. RSA 135-C:68, relative to the study commission on sustainable funding of behavioral
5 health crisis programs, is repealed.

6 7 Effective Date.

7 I. Section 6 of this act shall take effect November 1, 2024.

8 II. The remainder of this act shall take effect upon its passage.