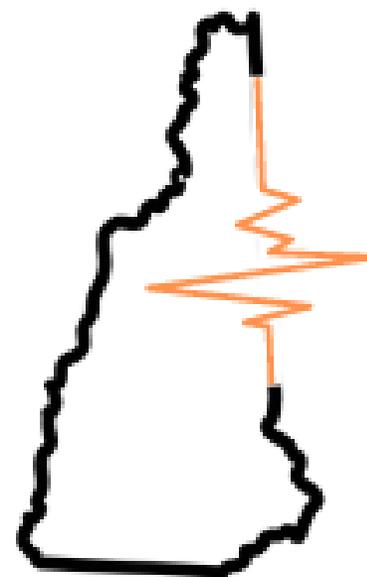


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presents

NH Telehealth Legislative Preview

Jim Monahan, Founder, NH Telehealth Alliance

How to Participate:



Questions will be addressed at the end of the webinar.



Submit a question via the “Q&A” feature in the black toolbar located at the top or bottom of your screen.



Only questions submitted via Q&A will be read by our host for the panelists to address.



A recording of this webinar will be made available to members.

Telehealth Legislative Overview: 10.25.21

- Process & political climate
 - Review of NHTA Policy Principles
 - Recap of 2021 legislative activity
 - Bills enacted
 - Retained bill
 - Bills filed (so far) for 2022
-
- The Telehealth Commission
 - reports
 - Other factors
 - State budget
 - ARPA
 - Federal activity



NH Legislature: Process & Timelines

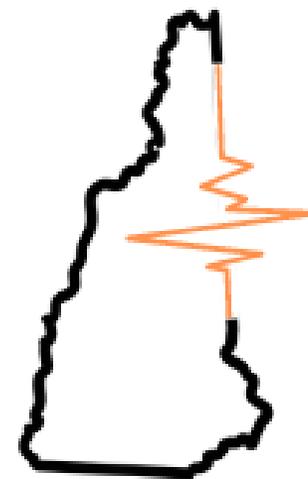
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- 2 Year Legislative Session
 - 1st Year
 - Budget
 - Committees can “retain” or “referrer bills”
 - Those bills are reported to the floor in November for action in January
 - 2nd year
 - Typically, fewer bills (perhaps not in 2022)
 - Shorter session: January to May
 - Election flings begin in June
 - 2022 is redistricting year

Political Climate

- Telehealth and broadband remain non-partisan
- Party control shifted in 2021
 - From D to R
 - Tight margins
 - “Liberty” caucus has strong control over House
 - Senate remains a more moderate body
- COVID politics is a dominate issue (for now)
 - As bills are taken up, the vacuum may be filled

NHTA Policy
Principles

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Telehealth Principles

1

Access: Telehealth should be used as a means to promote medically appropriate, culturally responsive, patient-centered access to health care. Achieving universal broadband access in New Hampshire will ensure all NH citizens enjoy access to the choice of telehealth, regardless of the rurality or topography of their location.

Telehealth Principles

2

Patient preference: Patients, in conjunction with their providers, should be offered their choice of service delivery mode. Patients should retain the right to receive health care in person.

Telehealth Principles

3

Evidence: The state should await the conclusion of the work of the Commission to Study Telehealth prior to further restricting existing telehealth authorities in state law. Moreover, New Hampshire should use evidence and data regarding telehealth that was generated throughout 2020 and 2021 to guide future policy. The state should consider the impact of telehealth on the following domains or to what extent it has been used to address the following domains: as a substitution for in-person care, as prevention of more costly care, how it has impacted no show rates, how it has impacted transitions in care, identification of the specialties in which it has and has not been robustly utilized, its impact on access to treatment, its impact on health care service utilization, its impact on quality of health care, and its impact on health care cost and price by specialty.

Telehealth Principles

4

Addressing disparities in care: Telehealth should be available to every member, regardless of race, ethnicity, sex, gender identity, sexual orientation, geographic location, age, income, class, disability, immigration status, nationality, religious belief, or language proficiency.

Telehealth Principles

5

Standard of Care: Standard of care requirements should apply to all services and information provided via telehealth, including quality, utilization, cost, medical necessity and clinical appropriateness.

Telehealth Principles

6

Stewardship: The state should require the use of evidence-based strategies for the delivery of quality care, and will take steps to mitigate and address fraud, waste, discriminatory barriers and abuse conducted via telehealth.

2021 Legislative Recap

- COVID-19 Session
 - Remote committee work
 - Remote House Session
 - Consolidated legislation
 - Easy State budget process
 - Abrupt end to session – stranding almost 200 bills
- Limited telehealth legislation
- Some broadband bills

2021 Legislation: Retained

HB 602: AN ACT relative to reimbursements for telemedicine

- Roll back of 2020's HB 1623
 - Curtails audio-only
 - Eliminates payment parity
- Currently still in House HHS Committee
 - Telehealth Commission recommended the bill be sent to Interim Study
 - Subcommittee vote 5-0 to send the bill to Interim Study
 - Full Committee to vote on 10/26/21
 - Full House to take up bill in January of 2022
 - Still needs Senate action if it advances out of House

2021 Legislation: Retained



*HB 503: AN ACT codifying
the council on housing
stability.*

Amendment address
medically assisted
treatment & telehealth
within the substance use
disorder space

Narrow change to State
telehealth law

Allows for first encounter
treatment via telehealth

- Removes face-to-face
requirement
- Restores structure allowed
under Emergency Order #8

Proposed as "non-
germane" amendment to
HB 508

Will be considered by
Senate HHA Committee on
10.26.21

2021 Legislation: Retained

HOUSE BILL **153**: AN ACT establishing a committee to study universal Internet access for New Hampshire.

I. Membership

- I. Three members of the house of representatives, each of whom shall be from a standing committee having jurisdiction over an issue related to Internet access and infrastructure, appointed by the speaker of the house of representatives.
- II. Two members of the senate, appointed by the president of the senate.

II. In addition, the legislative members of committee shall seek input and expert advice from each of the following:

- I. Representatives of the state's regional planning boards;
- II. A broadband development expert;
- III. A representative of the National Collaborative for Digital Equity;
- IV. A grant writer;
- V. Internet Service Provider (ISP) industry representatives;
- VI. A representative from the university of New Hampshire with relevant expertise;
- VII. A representative of the office of strategic initiatives; and
- VIII. Representatives from the New Hampshire department of health and human services and the New Hampshire department of education.

2021 Legislative Session: Enacted

- *SB 88: AN ACT adopting omnibus legislation relative to broadband*
 - Streamlined the creation of Communications Districts Planning Committees
 - Amended the scope of bonding authority to include counties and communications districts. Other fine tuning.
- *SB 85: AN ACT establishing a broadband matching grant initiative and fund.*
 - Establishes a framework for a matching grant program for municipalities, counties and communications districts for broadband.
 - Directs the Department of Business and Economic Affairs to establish rules.
 - Assumes Federal funds.

2022 Proposed Legislation

First Pass at House Bills Filed in September (LSRs)

- Allowing Out-of-state Mental Health Care Providers to Provide Telehealth Treatment During A Public Health Emergency.
- Relative to Prisoner Health Care and Establishing A Telehealth Pilot Program.
- Relative to Medicare Coverage For Certain Health Informatic Software.
- Relative to Licensure Of Out Of State Health Care Professionals.

NH Telehealth Commission: HB 1623 from 2020

The commission shall:

- (1) Review available data compiled by the department of insurance requested by the commission. This data may include, but not limited to, utilization and cost of services through telehealth in New Hampshire.
- (2) Review available data compiled by health care providers requested by the commission. This data may include, but not limited to, utilization, patient experience, delivery costs, and savings achieved through telehealth in New Hampshire.
- (3) Review other information and material as determined by the commission.
- (b) The commission may solicit input from any person or entity the commission deems relevant to its study, including data collected by an independent research contractor. This data may include review of telehealth parity in all commercial payers, NH Medicaid fee for service, and managed care plans; patient and provider access to telehealth; provider use of telehealth services; patient utilization, including chronic disease management and prevention services; quality of care delivered by telehealth; and the impact of telehealth on the cost of healthcare delivery.

NH Telehealth Commission

Jay Kahn - Senate

Jess Edwards - House

Tyler Brannen - Department of Insurance

Katelyn Darling - NH Hospital Association

Omar Shah - NHMS (alt)

Joan Tulk - Bi-State Primary Care

Kim Mohan - NHNPA

David Donohue - MCO

William Marsh - House

Dr. Jonathan Ballard - Medicaid Director: Designee

Sabrina Dunlap - NHAHI

Bill Rider - NH Comm. Behavioral Health Assoc.

Patrick Ho, MD - NHMS

Kenneth Norton - Appt. by Senate Pres.

Rachel Chaddock - Granite State Home Health & Hospice



NH Telehealth Commission

Reports

The commission shall make an interim report by December 1, 2022 and a final report with its findings and any recommendations for proposed legislation on or before December 1, 2024 to the President of the Senate, the Speaker of the House of Representatives, the Senate Clerk, the House Clerk, the Governor, and the State Library.

= long time horizon

Other Factors

State Budget

ARPA

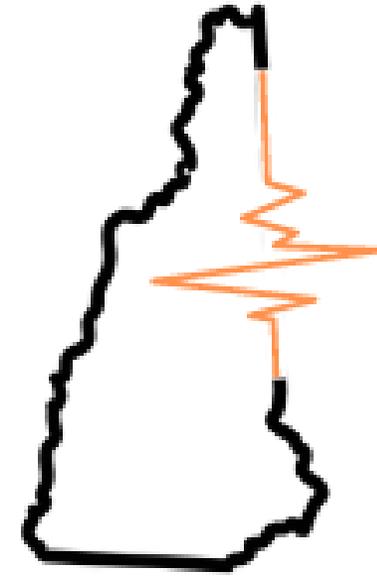
Federal Infrastructure

Election Season

Remote Access to Public Processes

- State House
- Local

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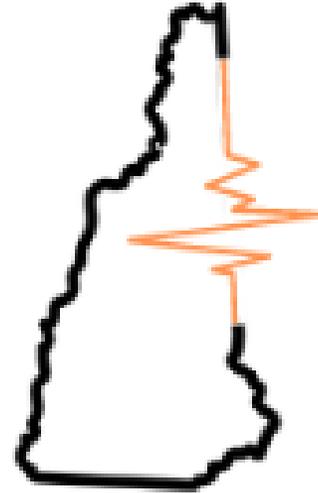


Q&A



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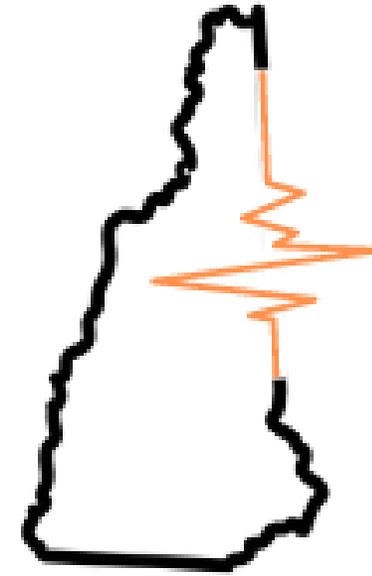


→ **2021 Public Policy Summit**
November 19

Register at nhtelehealthalliance.org/2021summit

Members register at a reduced rate!

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Thank you for joining us!

A recording of this webinar will be made available to NH Telehealth Alliance members.