



## **NHNA 2008 Legislative Wrap Up**

One of the ways that NHNA seeks to provide added value to its members is by representing the interests of New Hampshire nurses in the corridors of the State House in Concord. As this year's legislative session draws to a close, we would like to review the most significant bills which we have been following during 2008.

**HB 1394** has passed the House and the Senate and is on its way to the Governor's desk. This bill, which dealt with the approval of nursing education programs, was requested by NHNA, and was the offshoot of a 2007 legislative study committee which itself was the result of an NHNA request for legislation. The state laws which govern the procedures for the approval of nursing education programs do not provide the necessary level of detail, and it was obvious based upon past practice that they were in need of strengthening. Under **HB 1394**, RN and LPN education programs are to be reviewed first by the Department of Post-Secondary Education, and then by the Board of Nursing. In order to insure the soundness of these education programs, the new law requires that the programs be affiliated with an accredited degree-granting institution.

The perennially controversial issue of criminal background checks reared its head again this year. In 2007, NHNA successfully supported a change in the law which eliminated the background checks done at the time of each nurse license renewal. Under the law that was passed last year, the only nurses which have to undergo a background check are those applying for a New Hampshire license for the first time. This check is supported by fingerprints and is sent by the State Police to the FBI, which enables a 50-state background check to be performed (the old background check only looked at New Hampshire records).

Early this year, it emerged that the State Police were having difficulty processing the large numbers of the new fingerprint-based checks which the new law called for. This was causing serious delays in hiring at a number of hospitals and nursing homes.

Working with the Board of Nursing, the State Police, and key members of the legislature (especially Representative Laurie Harding, RN from Lebanon), NHNA drafted a legislative amendment to **SB 420** which effectively suspends the current law until the State Police have the capability to carry out the responsibilities of the new background checks (this is expected to take place by the end of 2008). In the interim, new applicants for licensure as RNs and LPNs will continue to be required to have a fingerprint-based check. First-time LNA applicants will undergo just the old-style New Hampshire-only check (the legislature and the State Police asked for this distinction because it was the large number of LNA applicants which was causing the backlog and delay; also, since RNs and the LPNs are the nurses who are serving in a supervisory capacity, it was felt that they should continue to have a 50-state check done during the interim).

This bill is on its way to the Governor's desk and will take effect on passage, so we are hoping that it will resolve the hiring delays. From what the State Police tell us, it looks like the LNAs will be back under the umbrella of the 50-state checks by late autumn.

NHNA joined other healthcare organizations in opposing **HB 1406**, which would have established a special volunteer license for retired nurses (among others) who wish to donate their services to care for the indigent and needy. In our testimony before the House Judiciary Committee, we emphasized that the purpose of licensure is to protect the public. That purpose is not advanced by giving licenses to people who have not necessarily kept up with their practice skills and knowledge. The Committee ultimately voted to kill that bill by a vote of 16-0, and the full House agreed with that recommendation.

Finally, a national discussion concerning the “Office of the National Nurse” made its way into New Hampshire this session. NHNA testified in opposition to **HCR 13**, a resolution which would have urged Congress to create an Office of the National Nurse. Our concern was based on the fact that this position is already in existence, practically speaking, in the person of the Chief Nurse of the Division of Public Health. The costs and effort associated with this position change would have no positive impact on the ability of nurses to care for patients. During the floor debate on this bill in the House, Representative Joan Schulze, herself a nurse, spoke eloquently in support of the NHNA position. Representative Schulze’s remarks led to a tremendously lopsided vote on the House Floor of 226-24 in favor of killing the resolution.

NHNA would like to salute the nurse members of the legislature, all of whom have served as outstanding representatives of the nursing profession in Concord: Representatives Barbara French (Henniker), Laurie Harding (Lebanon), Alida Millham (Gilford), Joan Schulze (Nashua), and Carla Skinder (Cornish). These nurses have made a major impact on how the State oversees the nursing profession. We encourage all NHNA members to consider running for the legislature so that they can make the sort of difference that these nurses have made in Concord. We also want to thank Margaret Walker and the Board of Nursing for the tremendous work they have undertaken on behalf of New Hampshire nurses during this legislative session. Their support of the nursing community of New Hampshire has been invaluable.