

HB 1531-FN-A - AS INTRODUCED

2022 SESSION

22-2397  
07/05

HOUSE BILL            ***1531-FN-A***

AN ACT                modifies the oversight commission on children's services.

SPONSORS:            Rep. Cornell, Hills. 18; Rep. Rice, Hills. 37; Sen. Whitley, Dist 15

COMMITTEE:          Children and Family Law

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ANALYSIS

This bill modifies membership, duties, and scope of the oversight commission on children's services, as well as makes an appropriation to assist the commission in its duties and to utilize independent experts.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                          Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                    modifies the oversight commission on children's services.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 Office of the Child Advocate; Oversight Commission on Children's Services. RSA 21-V:10 is  
2 repealed and reenacted to read as follows:

3            21-V:10 Oversight Commission on Children's Services Established; Membership and Terms.

4            I. There is hereby established a commission which shall serve in an advisory capacity to the  
5 governor and the general court regarding the delivery of effective and coordinated children's services  
6 throughout the state. The commission shall consist of the following members:

7            (a) Seven public members, who shall serve 3-year terms, provided that initially 2  
8 members shall serve for one year, 2 members shall serve for 2 years, and 2 members shall serve for 3  
9 years. These members shall consist of:

10            (1) Two members of child advocacy organizations, appointed by the speaker of the  
11 house of representatives;

12            (2) Two members of child advocacy organizations, appointed by the senate president;

13            (3) An individual, who is a professional, from a child serving organization, appointed  
14 by the governor;

15            (4) An individual who was formerly a recipient of child protection, juvenile justice, or  
16 voluntary services through the division, appointed by the commission chair at the recommendation  
17 of the commission; and

18            (5) An individual who has served or is serving as a foster parent, appointed by the  
19 commission chair at the recommendation of the commission.

20            (b) Four legislative members, who shall serve for the biennium, whose terms shall be  
21 coterminous with their term in office, and who shall receive mileage at the legislative rate while  
22 attending to the duties of the commission. These members shall consist of:

23            (1) Two members of the house of representatives, appointed by the speaker of the  
24 house of representatives; and

25            (2) Two members of the senate, appointed by the president of the senate.

26            (c) Eight executive and judicial branch members, who shall serve terms coterminous  
27 with their terms in office. These members shall consist of:

28            (1) The attorney general, or designee;

29            (2) The administrative judge of the circuit court, or designee;

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

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1 (4) The director of the division for children, youth and families, department of health  
2 and human services, or designee;

3 (5) The director of the division of behavioral health, department of health and  
4 human services, or designee;

5 (6) The director of the division of Medicaid Services, department of health and  
6 human services, or designee;

7 (7) The commissioner of the department of education, or designee; and

8 (8) The director of the office of child advocate, or designee.

9 (d) Three members of government groups, who shall serve 3 year terms. These members  
10 shall consist of:

11 (1) A representative of the Council for Thriving Children, appointed by the council.

12 (2) A representative of the NH Children's System of Care Advisory Committee,  
13 appointed by the council.

14 (3) A representative of the New Hampshire Public Defender, appointed by that  
15 organization.

16 2 New Sections; Oversight Commission on Children's Services Established; Staffing; Duties.  
17 Amend RSA 21-V by inserting after section 10 the following new sections:

18 21-V:11 Commission on the Provision of Children's Services.

19 I. The commission shall elect one of its members to serve as chairperson. The executive  
20 director of the commission shall be the director of the office of child advocate, who shall serve  
21 without additional compensation. Twelve members of the commission shall constitute a quorum.  
22 The first meeting of the commission shall be held within 45 days of the effective date of this section.

23 II.(a) To assist the commission in the performance of its duties, the chairperson may create  
24 task forces.

25 (b) Based upon recommendations from each task force, the commission chairperson may  
26 appoint non-commission members to serve as adjunct members of each task force for a term of one  
27 year. In appointing adjunct members, the chairperson shall ensure that youth have the opportunity  
28 to participate directly in the work of appropriate task forces.

29 (c) Each task force shall:

30 (1) Develop a mission statement, including its goals and objectives.

31 (2) Report to the commission on a regular basis concerning available programs,  
32 funding, and unmet needs.

33 (3) Identify program areas where improved coordination is needed.

34 III. All executive branch departments shall provide administrative support to the  
35 commission. The executive director of the commission shall direct and coordinate the administrative  
36 support to the commission.

1 IV. All executive branch departments shall respond promptly to written requests from the  
2 commission for information concerning children's services provided by them and the costs and  
3 funding sources for such programs and services.

4 21-V:12 Oversight Commission on Children's Services Established; Duties.

5 I. The oversight commission shall:

6 (a) Recommend at least 3 qualified candidates to the governor, in rank order, for  
7 appointment to the position of child advocate; except that in the case of reappointment, a single  
8 recommendation shall be sufficient.

9 (b) Provide oversight to the office in its effort to support an effective, comprehensive, and  
10 coordinated system of services and programs for children, youth, and families. This includes  
11 studying New Hampshire's current delivery of services to children and their families, including child  
12 protection, foster care, adoption, children in need of services, diversion, juvenile justice, residential  
13 services, residential care, behavioral health, primary prevention, early childhood, child care, early  
14 and ongoing intervention for children with developmental delays, and family support services for at  
15 risk families, and all related administrative functions, including but not limited to human resources,  
16 procurement, and quality assurance.

17 (c) Review with the office the efficacy of selected programs and services of executive  
18 agencies, including the characteristics of target populations, trends affecting program costs and  
19 participation, and alternative approaches to programmatic and administrative concerns.

20 (d) Collaborate with the office to identify and implement best practices on behalf of  
21 children and families.

22 (e) Monitor and review implementation of the memorandum of understanding entered  
23 into by the department of health and human services and the department of justice regarding the  
24 collaboration between the agencies in the investigation and prosecution of abuse and neglect cases.

25 (f) Explore and make recommendations regarding creating a unified, statewide  
26 administration of programs and services for children, youth, and their families to:

27 (1) Ensure optimal health, safety, and learning for New Hampshire children;

28 (2) Maximize prevention through data analytics and evidence-based programming;

29 (3) Increase program coordination and cooperation, thereby maximizing state  
30 returns on investments and helping bring additional federal and private support into the state for  
31 these programs.

32 (g) Explore and make recommendations on the development and implementation of a  
33 childhood information system to track and improve outcomes; facilitate and encourage the sharing of  
34 data between and among service providers; assist in reporting on a childhood accountability plan;  
35 and promote transparent results based on accountability of all investments allocated in children's  
36 wellbeing.

37 (h) Consider other policy issues as the commission deems necessary.

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1           II. The commission may contract with a non-governmental entity to support the work of the  
2 commission.

3           III. The commission shall make a yearly report to the speaker of the house of  
4 representatives, the president of the senate, the senate clerk, the house clerk, and the governor by  
5 September 1.

6           IV. The commission may consult with outside resources and state agencies, including but  
7 not limited to the department of education, the department of health and human services, the  
8 department of revenue administration, and the legislative budget office.

9           3 Appropriation; Oversight Commission on Children's Services. The sum of \$150,000 for the  
10 fiscal year ending June 30, 2023 is hereby appropriated to the oversight commission on children's  
11 services for the purpose of assisting the commission in the performance of its duties and utilizing  
12 independent experts on children's services. Of this amount, the governor shall determine if any  
13 remaining discretionary funds appropriated in the American Rescue Plan act of 2021, Public Law  
14 117-2 or any other federal funds can be used for this purpose and any remainder shall be general  
15 funds. The governor is authorized to draw a warrant for the general fund share of said sums out of  
16 any money in the treasury not otherwise appropriated.

17           4 Effective Date.

18           I. Section 3 of this act shall take effect July 1, 2022.

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

**HB 1531-FN-A- FISCAL NOTE  
 AS INTRODUCED**

AN ACT establishing an oversight commission regarding effective and coordinated children's services.

**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$150,000	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable	Indeterminable	Indeterminable
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Federal funds appropriated by the American Rescue Plan Act of 2021.			

**METHODOLOGY:**

This bill modifies the membership and scope of the oversight commission on children's services. The revised commission will continue to provide oversight to the Office of the Child Advocate, but with an expanded set of responsibilities enumerated in the newly-created RSA 21-V:12. The bill appropriates \$150,000 in FY 2023 for the purpose of assisting the commission in the performance of its duties and retaining independent experts on children's services. Of this amount, any remaining federal funds appropriated in the American Rescue Plan Act of 2021 or other federal funds shall be used first, and state general funds shall be used for the remainder.

**AGENCIES CONTACTED:**

Departments of Administrative Services and Health and Human Services