

HB 358-FN-A – AS INTRODUCED

2013 SESSION

13-0600
05/09

HOUSE BILL **358-FN-A**

AN ACT relative to the children in need of services program and making an appropriation therefor.

SPONSORS: Rep. Pantelakos, Rock 25; Rep. Shurtleff, Merr 11; Rep. Charron, Rock 4

COMMITTEE: Finance

ANALYSIS

This bill makes an appropriation to the department of health and human services for the purpose of funding the children in need of services program under RSA 169-D and restores the broader definition of a child in need of services.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to the children in need of services program and making an appropriation therefor.

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

1 1 Appropriation; Children in Need of Services. There is hereby appropriated to the department
2 of health and human services for the purpose of funding the children in need of services (CHINS)
3 program under RSA 169-D, the sum of \$4,100,000 for the fiscal year ending June 30, 2014, and the
4 sum of \$4,100,000 for the fiscal year ending June 30, 2015. Such funds shall be in addition to any
5 other funds appropriated to the department of health and human services. The governor is
6 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
7 appropriated.

8 2 Definition of Child in Need of Services. RSA 169-D:2, II is repealed and reenacted to read as
9 follows:

10 II. "Child in need of services" means a child who is under the age of 18 and who is expressly
11 found to be:

12 (a) Subject to compulsory school attendance, and who is habitually, willfully, and
13 without good and sufficient cause, truant from school; or

14 (b) A child who habitually runs away from home, or who repeatedly disregards the
15 reasonable and lawful commands of his or her parents, guardian, or custodian and places himself or
16 herself or others in unsafe circumstances; or

17 (c) A child who has exhibited willful repeated or habitual conduct constituting offenses
18 which would be violations under the criminal code of this state if committed by an adult or, if
19 committed by a person 16 years of age or older, would be violations under the motor vehicle code of
20 this state; and

21 (d) Is expressly found to be in need of care, guidance, counseling, discipline, supervision,
22 treatment, or rehabilitation.

23 3 Reference Change. Amend RSA 189:36, II to read as follows:

24 II. A truant officer or school official shall not file a petition alleging that the child is in need
25 of services pursuant to RSA 169-D:2, II(a) until all steps in the school district's intervention process
26 under RSA 189:34, II have been followed.

27 4 Effective Date. This act shall take effect July 1, 2013.

HB 358-FN-A - FISCAL NOTE

AN ACT relative to the children in need of services program and making an appropriation therefor.

FISCAL IMPACT:

The Department of Health and Human Services and New Hampshire Municipal Association state this bill, **as introduced**, will increase state expenditures by \$7,676,465 in FY 2014 and each year thereafter. Local expenditures may decrease by an indeterminable amount. There will be no fiscal impact on state, county, and local revenue, or county expenditures.

This bill appropriates \$4,100,000 from the state general fund to the Department of Health and Human Services in each fiscal year of the biennium ending June 30, 2015 for the purpose of this act.

METHODOLOGY:

The Department of Health and Human Services states this bill would reinstate the previous definition of CHINS and provide a state general fund appropriation of \$4.1 million in each year of the FY 2014-2015 biennium to fund the program. The Department makes the following assumptions in projecting the fiscal impact of this bill:

- Funding for the program would continue in FY 2016 and 2017;
- The federal match of approximately 46.59% of the cost of court ordered services, placements, and programs would continue at approximately \$3,576,465 per year;
- The services provided will be limited by the amounts appropriated; and
- Services to children under the current definition will continue to be funded by other funds appropriated to the Department.

Based on these assumptions, the Department assumes the appropriations will be expended for services in each year as follows:

	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>
General Funds	\$4,100,000	\$4,100,000	\$4,100,000	\$4,100,000
Federal Funds	<u>\$3,576,465</u>	<u>\$3,576,465</u>	<u>\$3,576,465</u>	<u>\$3,576,465</u>
Total Expenditures	\$7,676,465	\$7,676,465	\$7,676,465	\$7,676,465

The New Hampshire Municipal Association states this bill makes a state appropriation to the CHINS program for next biennium and broadens the definition of CHINS services. The Association assumes the legislation will enable the Department of Health and Human Services to take actions that could slightly reduce the burden on municipal law enforcement and welfare departments. The Association expects any impact to be indirect and is not able to determine the fiscal impact on local expenditures.