



Jeffrey A. Meyers
Commissioner

Joseph E. Ribsam, Jr.
Director

12 mac
FIS 19 085

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR CHILDREN, YOUTH & FAMILIES

129 PLEASANT STREET, CONCORD, NH 03301-3857
603-271-4451 1-800-852-3345 Ext. 4451
Fax: 603-271-4729 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

March 19, 2019

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Christopher T. Sununu 4/2/19
Approved by Fiscal Committee (Date)

REQUESTED ACTION

1. Pursuant to Chapter 355 (Laws of 2018), authorize the Department of Health and Human Services to transfer general funds from the Excess Appropriation Allocation Account in the amount of \$1,800,000 effective upon date of Fiscal Committee and Governor and Executive Council approval through June 30, 2019, and further authorize the allocation of these funds in the accounts below. Source of funds: 100% General.

**05-95-95-950010-38980000 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
DEPT OF, HHS: COMMISSIONER, OFFICE OF THE COMMISSIONER, EXCESS APPROP
ALLOCATION**

Class/Object	Class Title	FY 19 Current Authorized Budget	Requested Change	FY 19 Adjusted Budget
Revenue				
	General Funds	\$ 6,179,386	\$ (1,800,000)	\$ 4,379,386
	Total Revenue:	\$ 6,179,386	\$ (1,800,000)	\$ 4,379,386

**05-95-42-421510-7916 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER,
REHABILITATIVE PROGRAMS**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
	General Funds	\$ 5,688,023	\$ 1,800,000	\$ 7,488,023
Total Revenue:		\$ 5,688,023	\$ 1,800,000	\$ 7,488,023
Expense				
010-500100	Personal Services	\$ 3,420,763	\$ 1,800,000	\$ 5,220,763
018-500106	Overtime	\$ 149,410	\$ -	\$ 149,410
019-500105	Holiday Pay	\$ 100,000	\$ -	\$ 100,000
020-500200	Current Expenses	\$ 25,254	\$ -	\$ 25,254
022-500255	Rents-Leases other than stat	\$ 7,161	\$ -	\$ 7,161
039-500180	Telecommunications	\$ 17,307	\$ -	\$ 17,307
050-500109	Personal Services - Temp	\$ 75,000	\$ -	\$ 75,000
059-500117	Temp Full Time	\$ 145,558	\$ -	\$ 145,558
060-500601	Benefits	\$ 1,732,570	\$ -	\$ 1,732,570
523-500365	Client Benefits	\$ 15,000	\$ -	\$ 15,000
Total Expense:		\$ 5,688,023	\$ 1,800,000	\$ 7,488,023

- Contingent upon approval of Requested Action #1 above, pursuant to the provisions of RSA 9:16-a, Transfers Authorized, authorize the Department of Health and Human Services to transfer general funds in the amount of \$1,854,150 between various class lines within Sununu Youth Services Center and create new expenditure class codes effective upon approval of the Fiscal Committee and the Governor and Executive Council through June 30, 2019. The transfers and adjustments are summarized below.

05-95-42-421510-1203 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER, FOOD PREP

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
	General Funds	\$ 423,709	\$ 31,000	\$ 454,709
Total Revenue:		\$ 423,709	\$ 31,000	\$ 454,709
Expense				
010-500100	Personal Services	\$ 188,377	\$ (5,000)	\$ 183,377
018-500106	Overtime	\$ 5,000	\$ 2,000	\$ 7,000
019-500105	Holiday Pay	\$ 6,170	\$ -	\$ 6,170
020-500200	Current Expenses	\$ 10,000	\$ -	\$ 10,000
021-500211	Food Institutions	\$ 102,386	\$ 38,000	\$ 140,386
039-500180	Telecommunications	\$ 200	\$ -	\$ 200
060-500601	Benefits	\$ 111,576	\$ (4,000)	\$ 107,576
Total Expense:		\$ 423,709	\$ 31,000	\$ 454,709

**05-95-42-421510-7909 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
 DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER, DIRECTOR'S
 OFFICE**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
	General Funds	\$ 410,145	\$ 33,450	\$ 443,595
	Total Revenue:	\$ 410,145	\$ 33,450	\$ 443,595
Expense				
010-500100	Personal Services	\$ 103,937	\$ 15,000	\$ 118,937
012-500128	Personal Services - Unclass	\$ 59,000	\$ 4,000	\$ 63,000
020-500200	Current Expenses	\$ 4,525	\$ 1,650	\$ 6,175
022-500255	Rents-Leases other than state	\$ 215	\$ -	\$ 215
039-500180	Telecommunications	\$ -	\$ 300	\$ 300
050-500109	Personal Services - Temp	\$ 130,213	\$ 20,000	\$ 150,213
060-500601	Benefits	\$ 112,255	\$ (10,000)	\$ 102,255
070-500700	In State Travel	\$ -	\$ 2,500	\$ 2,500
	Total Expense:	\$ 410,145	\$ 33,450	\$ 443,595

**05-95-42-421510-7913 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
 DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER, MATERIAL
 MANAGEMENT**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
009-405921	Agency Income	\$ 260	\$ -	\$ 260
	General Funds	\$ 105,048	\$ 13,000	\$ 118,048
	Total Revenue:	\$ 105,308	\$ 13,000	\$ 118,308
Expense				
010-500100	Personal Services	\$ 46,698	\$ -	\$ 46,698
020-500200	Current Expenses	\$ 30,000	\$ 13,000	\$ 43,000
022-500255	Rents-Leases other than state	\$ 200	\$ -	\$ 200
039-500180	Telecommunications	\$ 400	\$ -	\$ 400
060-500601	Benefits	\$ 28,010	\$ -	\$ 28,010
	Total Expense:	\$ 105,308	\$ 13,000	\$ 118,308

**05-95-42-421510-7914 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
 DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER, MAINTENANCE**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
	General Funds:	\$ 817,891	\$ 60,500	\$ 878,391
	Total Revenue:	\$ 817,891	\$ 60,500	\$ 878,391
Expense				
010-500100	Personal Services	\$ 360,692	\$ -	\$ 360,692
018-500106	Overtime	\$ 14,000	\$ -	\$ 14,000
023-500210	Heat, Electricity and Water	\$ 200,000	\$ 56,700	\$ 256,700
024-500228	Maint Other than Building	\$ 2,759	\$ -	\$ 2,759
047-500240	Own Forces Maint	\$ 7,018	\$ -	\$ 7,018
048-500226	Contract Maint	\$ 50,000	\$ -	\$ 50,000
050-500109	Personal Services - Temp	\$ 23,000	\$ -	\$ 23,000
060-500601	Benefits	\$ 160,422	\$ 3,800	\$ 164,222
	Total Expense:	\$ 817,891	\$ 60,500	\$ 878,391

**05-95-42-421510-7915 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
 DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER, HEALTH SERVICES**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
	General Funds	\$ 1,747,079	\$ 17,050	\$ 1,764,129
	Total Revenue:	\$ 1,747,079	\$ 17,050	\$ 1,764,129
Expense				
010-500100	Personal Services	\$ 682,886	\$ (15,700)	\$ 667,186
018-500106	Overtime	\$ 20,000	\$ 27,000	\$ 47,000
019-500105	Holiday Pay	\$ 21,000	\$ 2,200	\$ 23,200
020-500200	Current Expenses	\$ 15,000	\$ -	\$ 15,000
022-500255	Rents-Leases other than state	\$ 1,754	\$ -	\$ 1,754
050-500109	Personal Services - Temp	\$ 50,000	\$ (21,450)	\$ 28,550
060-500601	Benefits	\$ 282,173	\$ 10,000	\$ 292,173
100-500726	Prescription Drug Expense	\$ 105,691	\$ -	\$ 105,691
101-500729	Medical Payments to Providers	\$ 568,575	\$ 15,000	\$ 583,575
	Total Expense:	\$ 1,747,079	\$ 17,050	\$ 1,764,129

**05-95-42-421510-7916 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS
 DEPT OF, HHS: HUMAN SERVICES, SUNUNU YOUTH SERVICE CENTER,
 REHABILITATIVE PROGRAMS**

Class/Object	Class Title	Current Authorized Budget	Requested Change	Adjusted Budget
Revenue				
	General Funds	\$ 7,488,023	\$ (155,000)	\$ 7,333,023
Total Revenue:		\$ 7,488,023	\$ (155,000)	\$ 7,333,023
Expense				
010-500100	Personal Services	\$ 5,220,763	\$ (1,112,000)	\$ 4,108,763
018-500106	Overtime	\$ 149,410	\$ 184,000	\$ 333,410
019-500105	Holiday Pay	\$ 100,000	\$ (10,000)	\$ 90,000
020-500200	Current Expenses	\$ 25,254	\$ 15,000	\$ 40,254
022-500255	Rents-Leases other than state	\$ 7,161	\$ -	\$ 7,161
039-500180	Telecommunications	\$ 17,307	\$ (13,000)	\$ 4,307
050-500109	Personal Services - Temp	\$ 75,000	\$ -	\$ 75,000
059-500117	Temp Full Time	\$ 145,558	\$ (5,000)	\$ 140,558
060-500601	Benefits	\$ 1,732,570	\$ 786,000	\$ 2,518,570
523-500365	Client Benefits	\$ 15,000	\$ -	\$ 15,000
Total Expense:		\$ 7,488,023	\$ (155,000)	\$ 7,333,023

EXPLANATION

In accordance with the provisions of 2018 Laws Chapter 355:4 (HB 1743) pertaining to the funding of the Sununu Youth Services Center (SYSC), the Department is requesting to transfer General funds from the Excess Appropriation Allocation Account for SFY 2019. HB 1743 permits the transfer of these additional funds into accounting unit 05-95-42-421510-7916 (Rehabilitative Programs) for the purpose of funding rehabilitation programs and operational costs of the Sununu Youth Services Center, upon the prior approval of the Fiscal Committee based upon a number of criteria set forth in the statute. For all of the reasons described below, the Department is requesting the approval of the transfer. SYSC has 7 accounting units; when approved, these additional funds will be transferred within these accounting units to cover funding shortfalls.

Services have been modified to provide a more intensive individualized treatment program to youth immediately upon admission. A team approach is utilized by engagement of all service areas (clinical, medical, psychiatric, educational and programming) the youth and family to identify individualized focal treatment goals, objectives and tasks to mitigate risk and safety. Clinical staff provide individual, family and specialized counseling services to youth and their families. Due to the new shortened length of stay of youth moving in and out of the facility. There is an identified increased need to have the clinical staff available to youth on a 24/7 on-call basis along with post discharge follow-up services to support the youth in their transition. At this time clinical staff are available 24/7 to youth within the facility to mitigate risk and offer supportive therapeutic services, although post discharge after care remains unavailable.

Permanency plans are developed at admission to include transitional services to optimize a youth's success upon reintegration back into their home and community. Permanency Transitional Services have been bolstered to assist youth with employment needs, medical follow-up, community based counseling services and other future goals identified by the youth and family.

The educational programming is Special Education Certified by the NH Department of Education to provide special education services to youth with SPED Coding from any of the 24 SAU's with compliance for all youth to meet their identified SAU academic requirements for graduation. Due to the prior restructuring there remains vacant teaching positions (Library Media Specialist, Art and Biology teachers) which must be addressed in order to maintain the Special Education Certification. Additionally, there are not teachers for the technical skill building woodworking and automobile technician programs.

Youth receive medical, dental, mental health and psychiatric services upon admissions and throughout their entire stay to address the youth's safety and overall well-being on a 24/7 schedule. These services are inclusive of treatment for routine, annual and emergent needs as well as educational support to foster youth responsibility and advocacy.

Youth Counselors (YC's) provide services for safety and security of all youth and staff on a 24/7 basis. YC's are assigned to various units that house distinct population needs within each pod. The various breakdowns of the units are designed to support treatment needs while maintaining a healthy and therapeutic environment for success. YC's provide normalcy/transitional living skills, CORE therapeutic groups, educational tutoring, activities in the facility, on campus and in the community.

While the daily census of SYSC has declined as a result of changes to the state's detention and commitment laws in 2017, the Department will be unable to maintain daily operations and services and maintain a safe environment for the remaining population without this transfer.

The drop in the average population of committed and detained youth has not materially changed the funding requirements for SYSC to maintain appropriate staff and resources and capacity for detained youth that fluctuates widely. Many youths will require specific clinical watches requiring 1:1 Youth Counselor (YC's) staffing on each shift to insure safety of the identified youth, resulting in the loss of YC's assigned to the regular milieu.

Youth Counselor assignment varies per shift based on the daily census and programming needs. To maintain a high level of safety and security the minimum level of YC's per shift is as follows: 7 YC's on 1st shift, 11 YC's on 2nd shift and 7 YC's on 3rd shift. This level of YC staffing provides the minimum level of service to the youth. It provides normalcy/ transitional living skills, CORE therapeutic groups, educational tutoring, activities within the facility, on campus and with weekly community based activities.

Unfortunately, as a result of the staffing reductions conducted in the spring to manage the budget, many programs and services, such as vocational services, had been forfeited due to lack of teachers and staff to support the programs. Some of the community based activities were decreased as well for the same reasons. Without the ability to staff above the minimum levels many of these programs and services were not able to be supported. Additionally, SYSC relies heavily on community service programs to support programming with the facility to increase opportunities for youth. Some of these partners are: St. Anselm College (Public Achievement, Public Speaking, Tutoring Services); Equine Therapy; Bicycle Repairs; Employment and Vocational Training; Michaels Hair Design; and Community Service Programs. Unfortunately, the availability of these programs have also been impacted by YC

staffing. Even when community partners are volunteering their time and resources to serve our youth, adequate numbers of YCs must be available to provide supervision and security for the activities.

The availability of programming is key to maintaining a healthy and therapeutic environment. When the youth are active and engaged, violence and other inappropriate youth behaviors are minimized. When staffing decreases programming is minimized and inappropriate youth behaviors begin to rise. This is dangerous for youth and for staff and creates a cascading effect where the available YCs must be deployed to address these behaviors rather than support programming for the remaining youth, which further adversely impacts the frequency of inappropriate youth behaviors.

Fortunately, in recent months SYSC has been able to support the reintegration of some of the aforementioned programming as the combination of a reduced census and more stabilized workforce has more frequently allowed for sufficient YC staffing to support programming. SYSC has been able to bring a variety of activities and services back into the facility to support therapeutic treatment and education of youth:

- The Culinary Program has been up and running since October 2018 to allow youth opportunities to learn trade skills and certification in safe food handling from the NH State Board.
- A Recycling Program that youth learn all aspects of waste and recycling services and are able to obtain a certificate from the NH Department of Environmental Services.
- Through the on-going collaborative efforts with St Anselm's College services have been expanded with a continued vision to provide a variety of opportunities for educational supports, sports and other activities. To include tutor services, collegiate sports, Public Achievement, Public Speaking, FIT and efforts towards implementation of a Humanities program.
- Through a partnership with the Greater Manchester Mental Health Center the IMPACCT (Inspiring the Mastery of Post Achievement in College Career and Training) program is being provided.
- Through a partnership with the New Hampshire Technical Institute, sexual and health education programming is being provided.
- In addition, with the assistance of various partners, SYSC has been able to offer Equine Therapy, Bicycle Repair, Spiritual services, Music programs, National Guard and Community Service Programs.

Over the past summer, the Department worked with the committee established to review SYSC operations, including potential future uses of the portions of the facility not now utilized for youth correctional purposes. The new non-secure substance misuse treatment facility opened on November 15, 2018 and is being operated by Granite Pathways. Two existing units of 36-beds each are utilized for treatment of committed and detained youth, while the remaining unit of 36 beds is used for meeting space but is available for alternative use. The dietary services, laundry services, building maintenance, and grounds care for this new facility is being completed by the previously existing SYSC staff.

The Department is eager to work with the Governor and the new legislature, as well as stakeholders, in order to reach a consensus for the planned long-term uses of the facility and how best to treat committed and detained youth in the community. The requested transfer is critical to maintaining

the safe operation of the facility until that consensus is reached and implementation plans can go forward.

Under HB 1743, the Fiscal Committee shall consider the following when considering approval of the transfer of funds:

- I. Whether the department has developed placements for no fewer than 35 youth in Medicaid eligible settings as specified in 2017, 156:165.
- II. Whether the department has redeveloped the excess capacity at the Sununu youth services center to be used for an inpatient drug treatment facility for persons under the age of 18, including Medicaid eligible youth described in 2017, 156:166 and 167.
- III. Whether the department has updated all the policies, procedures, and practices of the Sununu youth services center utilized for the placement of children pursuant to RSA 169-B to reflect the requirements of and legislative intent of 2017, 156:157 through 175, and delivered a description of such modifications to the fiscal committee of the general court.
- IV. Whether the department has satisfied the requirements of the following statutes and utilized, to the maximum feasible extent, the authority provided by the following statutes to limit and reduce the population of the Sununu youth services center:
 - (a) RSA 169-B:19, VI, relative to certification of Medicaid eligible treatment facilities for the transfer of minors from the Sununu youth services center;
 - (b) RSA 621:19, III, relative to discharge plans for minors committed to the Sununu youth services center; and
 - (c) RSA 621:19, IV, relative to quarterly review of nonviolent offenders committed to the Sununu youth services center.
- V. Whether the department has timely implemented their plan for reductions in staffing and other operating expenses.

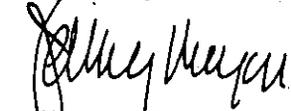
At the request of House Finance Division III Chair Nordgren, the Department's compliance with these and related legal provisions are enumerated in the attached side-by-side table of the various legal requirements and related departmental efforts.

The following is the information specifically required when transfers are requested, in accordance with the Budget Officer's instructional memorandum dated April 17, 1985, to support the above requested actions:

- A. Justification:
See above justification of the availability of funds and required additional funds.
- B. Does this transfer involve continuing programs or one-time projects?
This transfer involves continuing programs.
- C. Is this transfer required to maintain existing program levels or will it increase the program?
This transfer is required to maintain existing program levels.

- D. Cite any requirements which make this program mandatory.
The programs of the Department are mandated by various state and federal laws.
 - E. Identify the source of funds on all accounts listed on this transfer.
See above for the source of funds for all accounts.
 - F. Will there be any effect on revenue if this transfer is not approved?
No
 - G. Are funds expected to lapse if this transfer is not approved?
Funds that are in excess of the budget would lapse if not transferred to cover shortfalls.
-
- H. Are personnel services involved?
No positions are being transferred as a result of this request.

Respectfully submitted,



Jeffrey A. Meyers
Commissioner

HB 517 (2017) & HB 1743 (2018)
Provisions Regarding Sununu Youth Services Center

HB 517, 2017 Ch. 156:165	HB 1743, 2018 Ch. 355:3		Department's Response
<p>Alternative Placement Plan & Capacity Development</p>			
<p>156:164 IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony which has as an element the actual or attempted infliction of injury upon another person within the previous 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.</p>	<p>IV (c) RSA 621:19, IV, relative to quarterly review of nonviolent offenders committed to the Sununu youth services center.</p>		<p>A process was formalized to review all youth, including non-violent offenders, on a quarterly or more frequent basis to determine if the youth has mitigated the safety risk to self and community by demonstrating competencies designed by the treatment team through Assessment and Identification of Needs and Strengths.</p> <p>When the quarterly review reflects a mitigation of safety risk to self and community, the youth is discharged consistent with the discharge plan and treatment plan. The quarterly data report previously provided to the committee shows that each month between 8.5% and 22.6% of reviews resulted in a recommendation for discharge. The data for the first quarter of 2019 is not available as of the drafting of this letter and table, but will be made available at the April hearing upon request.</p> <p>Questions were raised as to whether the Department has been petitioning the court to change dispositions in accordance with this provision. The Department has not had an individual case where petitioning the court to modify the disposition to eliminate the safety net of the parole process has been appropriate. The Department will further revise its policies to clarify that when safe placement outside SYSC without parole supervision is appropriate a petition requesting change in disposition will be filed.</p>

HB 517, 2017 Ch. 156:165	HB 1743, 2018 Ch. 355:3	Department's Response
<p>156:165</p> <p>I. In furtherance of the duty of the department of health and human services under RSA 170-G:4 to provide services for all children and youth referred to it by the district courts pursuant to RSA 169-B, the commissioner shall evaluate the adequacy of the service system and ensure that sufficient alternative placement capacity is in place for those children who are not serious violent offenders who prior to this act would have been placed at the Sununu youth services center. On or before September 1, 2017, a plan for development of such capacity for minors who are not serious violent offenders shall be provided to the fiscal committee of the general court, and the plan shall be updated on a monthly basis until it is fully implemented. The plan shall provide for an increase in the state's capacity for placement in Medicaid-eligible settings of no fewer than 35 minors. The increase in capacity for minors who are not serious violent offenders shall be implemented no later than January 1, 2018, and include a rate structure which supports the staffing ratios and other resources necessary for the safe and effective treatment of such children in residential and other treatment settings. The rate structure shall be submitted to the fiscal committee of the general court for approval prior to December 1, 2017. If necessary, the plan shall provide for a process for re-establishing cost-based rate-setting rules and procedures which may have expired.</p>	<p>I. Whether the department has developed placements for no fewer than 35 youth in Medicaid eligible settings as specified in 2017, 156:165.</p>	<p>In September 2017, the Department submitted its initial plan to develop capacity for minors who are not serious violent offenders. Subsequently, in recognition that the needs of youth and families in New Hampshire were greater than could be accommodated with a simple increase in placement capacity, the Department contracted with Public Consulting Group, and their partners the American Public Human Services Association, and the Alliance for Strong Children and Families to conduct an Adequacy and Enhancement Assessment of the community based service array available for DCYF involved youth and their families.</p> <p>The assessment process initiated in January 2018 culminating with a report released in July of 2018. A copy of the report can be found here: https://www.dhhs.nh.gov/dcyf/documents/adequacy-enhance-assess-070318.pdf. The Assessment provides extensive data regarding the current system for youth families and set forth an ambitious set of recommendations to fundamentally change the child and family serving systems in New Hampshire, away from the crisis driven services provided by Child Protection and Juvenile Justice and toward more proactive family and youth engagement through a System of Care. The report identified the below System of Care principles and values as consistent with RSA 135-F:</p> <ol style="list-style-type: none"> 1. Ensure availability and access to a comprehensive array of community-based services and supports for children, youth, and their families that address their unique physical, emotional, social, cultural, linguistic, and educational needs including existing supports, and those that need to be developed. 2. Provide services and connections to supports tailored to the unique needs of each child, youth, and family that are strengths-based, utilize a wraparound planning process, and are linked to an

HB 517, 2017,
Ch. 156:165

HB 1743, 2018,
Ch. 355:3

Department's Response

individualized service plan developed in full partnership with the family and child.

3. Deliver services within the least restrictive environment consistent with the needs of the child, youth, and family.
4. Incorporate prevention, early identification, and early intervention, including mechanisms to identify problems at an earlier stage, to improve long term outcomes, lower the cost curve, and create population level change.
5. Ensure cross-system, child, youth, family, and community collaboration and create linkages across administrative and funding boundaries with mechanisms for system level management, coordination, and integrated care management. Funding and resources should be flexible and follow the needs of the child, youth, and family.
6. Provide integrated care coordination aligned with system of care principles to ensure multiple services and supports are delivered in a concurrent and coordinated manner and that children, youth, and families can move through the system of services and supports based on their changing needs.
7. Provide youth-centered, strengths-based, developmentally appropriate supports and services to facilitate the successful transition of youth to adulthood.
8. Incorporate continuous accountability, quality improvement, and data mechanisms to track, monitor and manage the achievement of system of care goals, fidelity to the system of care philosophy, and quality and effectiveness at the geographic, agency, system, and individual level.

HB 517, 2017
Ch. 156:165

HB 1743, 2018
Ch. 355:3

Department's Response

The department certified 38 beds at six programs for this purpose. This includes:

- Seacoast Treatment and Stabilization Center (16 beds)
- Mount Prospect Academy Sub-Acute Program (8 beds)
- Spaulding Youth (3 beds)
- Vermont Permanency Initiative Hall Farm (4 beds)
- Neurodevelopment NH – THRIVE (3 beds)
- Vermont Permanency Initiative Blake Farm (4 beds)

Additionally, in December 2017, the Department contracted with (1) Becket Family of Services, Mount Prospect Academy for sixteen contracted beds for males and with (2) Nashua Children's Home for six contracted beds for females.

The contracted beds at Becket Family of Services, Mount Prospect Academy have been regularly utilized and the program has a waitlist for placement.

Finding that the youth referred to the program required a greater intensity of services than anticipated, the Executive Director of Nashua Children's Home requested that the contract be terminated. The contract was terminated in August 2018. A new Request for Proposals (RFP) seeking an intensive residential treatment for a capacity of six females has been re-posted. This new RFP seeks to develop clinically intensive care to align with the recommendations of the Adequacy and Enhancement Assessment and the federal Family First Preventative Services Act of 2018. Bids have been submitted and are currently being reviewed.

To further advance our capacity to meet the behavioral health needs children and youth going forward, DCYF is partnering with the Bureau of Children's Behavioral Health and providers toward the development of a comprehensive System of Care, an enhancement of clinical capacity of residential providers, and Implementation of Family First.

HB 517, 2017; Ch. 156:165	HB 1743, 2018; Ch. 355:3	Department's Response	
<p>156:166 Youth Drug Treatment Center. The commissioner of the department of health and human services, in consultation with the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, established in RSA 12-J, shall redevelop the excess capacity at the Sununu youth services center, to be used for an inpatient and outpatient drug treatment facility for persons under the age of 18, including Medicaid-eligible youth under age 18. All contracts, plans, and specifications for the redevelopment required by this section shall be awarded in accordance with the provisions of RSA 21-I. The drug treatment facility shall be operated by a non-governmental entity, and the commissioner shall issue an RFP for the purpose of operating the new inpatient and outpatient drug treatment facility for persons under the age of 18, including Medicaid-eligible youth under age 18, located in unused portions of the Sununu youth services center building now used for placement of minors pursuant to RSA 169-B.</p>	<p>II. Whether the department has redeveloped the excess capacity at the Sununu youth services center to be used for an inpatient drug treatment facility for persons under the age of 18, including Medicaid eligible youth described in 2017, 156:166 and 167.</p>		<p>The new non-secure substance use disorder treatment facility opened on November 15, 2018 and is being operated by Granite Pathways. Two existing units of 36-beds each are utilized for treatment of committed and detained youth, while the remaining unit of 36 beds is used for meeting space but is available for alternative use.</p>
<p>Dissemination of Information & Training</p>			
<p>156:165 II. Unless prior approval of the fiscal committee of the general court is provided, no later than November 1, 2017, the plan required by this section shall be updated to include the following elements:</p>			<p><i>See individual sections below.</i></p>
<p>156:165, II, (a) Dissemination of information to judicial branch employees.</p>			<p>On October 13, 2017, the Department met with the Administrative Judge of the Circuit Courts, court staff and representatives of the Attorney General's Office. At that meeting the parties discussed the changes to the law, the Department's development of an RFP, the adequacy and enhancement assessment, the changes that have been made at SYSC and the further dissemination of information to the courts</p>

HB 517, 2017 Ch. 156:165	HB 1743, 2017 Ch. 355:3	Department's Response
		<p>and juvenile justice field staff. In order to insure consistency of communication and messaging, the parties agreed to issue a joint letter regarding the changes to family division judges, court staff and juvenile justice field staff. This letter was provided to the judges by Judge Kelly on October 26, 2017. The letter was also provided to juvenile justice supervisors on October 26, 2017.</p>
<p>156:165, II, (b) Training and education of and dissemination of information to:</p> <p>(1) Juvenile probation and parole officers and related law enforcement.</p> <p>(2) Sununu youth services center and other division for children youth and families staff.</p>		<p>Regional trainings for Juvenile Justice staff occurred during November on the following dates: Seacoast Region November 1, 2017, Northern and Central Region November 7, 2017, West Region November 8 2017, and the Southern Region November 16, 2017. These trainings were conducted by Juvenile Justice Field Administrators and the Director of Operations of the Sununu Youth Services Center (SYSC). These regional trainings supported the implementation of the legislation for the field. Training was also provided to SYSC staff at All Staff meetings in December 2017 and training was provided to child protection supervisors, juvenile justice supervisors, and DCYF program staff around the implementation of HB 517 at the monthly Division leadership meeting on November 28, 2017.</p> <p>On December 18, 2017, the Attorney General provided a memorandum to all law enforcement agencies on detailing the interpretation of the law and changes to the law.</p> <p>Updated communication was provided to Juvenile Justice Probation and Parole Officers related to clarification regarding what juvenile offenses will be allowed into the Sununu Youth Services Center based on the Attorney General's updated March 2018 guidance in which RSA 169-B:19, I(j) only prohibits commitment for the expressly enumerated offenses including RSAs 262, 637, 634, 635, 641 or 644, as described in which RSA 169-B:19, I(j).</p>

HB 517, 2017; Ch. 156:165	HB 1743, 2018 Ch. 355:3	Department's Response
		The Division training and program staff also provided additional training regarding the changes within HB 517 to the staff at SYSC. These trainings were held at SYSC and occurred on July 10 th and 13 th , 2018.
Programing & Policy at SYSC		
<p>156:165, II, (c) Programming changes at the Sununu youth services center to facilitate the successful release of youth other than serious violent offenders according to the timetables in RSA 621:19, I-a, as amended by this act.</p> <p>156:165, II, (d) Programming changes and enhancements to provider services necessary for the successful housing and treatment of youth other than serious violent offenders.</p>	<p>III. Whether the department has updated all the policies, procedures, and practices of the Sununu youth services center utilized for the placement of children pursuant to RSA 169-B to reflect the requirements of and legislative intent of 2017, 156:157 through 175, and delivered a description of such modifications to the fiscal committee of the general court.</p>	<p>As a result of and in anticipation to the changes in law and the preference that youth who can be safely treated in the community, should be treated in the community, the following programing changes have been made:</p> <ul style="list-style-type: none"> • Individual/family treatment has transitioned from a traditional psychotherapy to a focal treatment philosophy. The intent with this approach is to focus on the safety factors that can be mitigated quickly to return the juvenile to the community. • All youth receive individualized treatment plans that will include treatment based on need. Youth and families will be able to take this plan forward when returned to the community to continue to address needs areas. • All youth have the opportunity to participate and complete 12-15 therapeutic program hours a week. Therapies included, but not limited to: Individual, family, group, experiential, recreation, and psychiatric. • Youth progress is measured by engagement and competencies rather than compliance and time. • Enhanced transition planning in order to quickly connect juveniles and families to community resources. <p>Additionally, SYSC implemented Trust Based Relational Intervention (TBRI). Two SYSC staff, participated in a 16 week course which included eight online modules of training in preparation for a five-day in person training/certification program they then attended in April 2018 in New Orleans, LA – provided by Texas Christian University (TCU). These staff are now certified as practitioners and educators in the TBRI model,</p>

HB 517, 2017 Ch. 156:165	HB 1743, 2018 Ch. 355:3	Department's Response
		<p>with eligibility to train both DCYF staff and providers. The two certified practitioner/educators provided the 4-day TBRI training on a rolling basis to all SYSC residential and educational staff which was completed by the end of 2018.</p> <p>As of the completion of this letter and table, DCYF has finalized the six "core" written policies required to implement the aforementioned changes.</p> <p>Additionally, more than 20 forms including treatment planning and discharge forms have been updated to reflect the changes in the law.</p> <p>In addition, seven remaining written policies related to implementation have been finalized. The remaining policies are currently being updated.</p>
<p>156:165, II, (e) Changes necessary for the successful diversion from secure detention of children other than serious violent offenders, including the development of additional alternatives to detention, modifications to detention screening instruments, and changes to programming at the Sununu youth services center and other facilities.</p>	<p>IV. Whether the department has satisfied the requirements of the following statutes and utilized, to the maximum feasible extent, the authority provided by the following statutes to limit and reduce the population of the Sununu youth services center:</p>	<p>The census data in the quarterly reports demonstrating a reduction in the average daily census to 25 youth demonstrates the Division's efforts to reduce population to the maximum extent possible.</p> <p><i>See responses to individual sections below.</i></p>

IV (a) RSA 169-B:19, VI, relative to certification of Medicaid eligible treatment facilities for the transfer of minors from the Sununu youth services center;

The Department has established and maintains a substantial network of Medicaid-eligible residential treatment facilities within New Hampshire to which juvenile offenders can be transferred in accordance with their level of need. Since the passage of HB 517, the Department has worked closely with partners to monitor the impact on programs, providers, and youth. Demand for these programs remains very high as evidenced by the continued need to utilize out-of-state treatment facilities. Most recently, the Department has been regularly engaging with the network of providers to consider the substantial enhancement of residential treatment required by the Family First Prevention Services Act of 2018. As of September 2018, Medicaid-eligible residential treatment facilities in New Hampshire include:

- Chase Home
- Crotched Mountain Group Home
- Dover Children's Home
- Easter Seal Boys Program
- Easter Seal Crisis Program
- Easter Seal Krol House
- Easter Seal - Lancaster Facility
- Easter Seal - Zachary Road
- Mount Prospect Academy CAST Program
- Mount Prospect Academy Sub-Acute Program
- Mount Prospect Academy Rumney Program
- Mount Prospect Academy Adventure Based Program
- Mount Prospect Academy Enhanced Treatment Program
- Nashua Children's Home
- Neurodevelopmental Institute of New Hampshire - THRIVE
- NFI North - Davenport
- Orion House
- Pine Haven Boy's Center Inc.
- Seacoast Treatment and Stabilization Center
- Spaulding Youth - Bridge Program

HB 517, 2017 Ch. 156:165	HB 1743, 2018 Ch. 355:3	Department's Response
		<ul style="list-style-type: none"> • Spaulding Youth - ED Program • Spaulding Youth- NB Program • Vermont Permanency Initiative Hall Farm (located in NH) • Vermont Permanency Initiative Blake Farm (located in NH) • Webster House • Wediko Children's Services <p>Questions were raised as to whether these facilities comply with the intent of the law. The Department believes they do as all of these providers can take juveniles discharged from SYSC and the Department has been working closely with them to facilitate transfers as appropriate.</p> <p>Additionally, the Department heard concerns that it had not created a "new" level of certification as a result of this statutory change. The Department did not view this change in the law as creating a whole new certification process and does not believe that is what was envisioned at the time of adoption. While the Department welcomes further discussion regarding the levels of certification and the needs of the juvenile population to build a more robust system, the above-described measures comply with the spirit and intent of the current law.</p>
	<p>IV (b) RSA 621:19, III, relative to discharge plans for minors committed to the Sununu youth services center; and</p>	<p>An initial discharge plan is submitted to SYSC from the Juvenile Justice Probation Officer within seven days. At the "Classification Meeting," which occurs within fourteen days of commitment to SYSC, the plan is reviewed by the classification team which includes JPPO (and Child Protection Service Worker, if applicable), clinical lead and staff, medical staff, school principal, the mentor coordinator, and the DCYF permanency specialist. This discharge plan must contain, at a minimum viable placement alternative with necessary services in the event the youth is to be discharged due to mitigation of safety risk,</p>

HB 517, 2017,
Ch. 156:165

HB 1743, 2018
Ch. 355:3

Department's Response

reduction of youth population pursuant to RSA 621:10, or a change in disposition.

At the "Initial Meeting" which occurs no later than 30 days following commitment, the treatment team is convened and consists, minimally, of the JPPO, Parents, the clinician, school representative, and the youth. At this meeting the treatment plan is finalized with youth and parent input and the discharge plan is reviewed and updated. These plans are regularly considered throughout treatment interactions while at the facility and updated with the treatment team accordingly.

Additionally, as described above the related policies and forms have been updated to reflect the changes in the law regarding discharge planning.

V. Whether the department has timely implemented their plan for reductions in staffing and other operating expenses.

Effective June 30, 2018, SYSC was restructured to reduce expenses. This was accomplished by restructuring the program staffing. This resulted in the below staffing reductions:

DEPARTMENT	FT	PT	PT	PT
	SFY 2018	SFY 2019	SFY 2018	SFY 2019
Administration	6	4	4	2
Maintenance	8	8	1	1
Medical	8	8	4	
Dietary	5	5		
Educational	23	15	1	
Clinical	5	4	1	1
Rehabilitative	69	59	9	1

HB 517, 2017 Ch. 156:165	HB 1743, 2018 Ch. 355:3	Department's Response
	<p>355:7 There is established a committee to study alternatives to the continued use of the Sununu youth services center facility.</p>	<p>Over the past summer, the Department worked with the Committee to Study Alternatives to the Continued Use of SYSC which identified potential future uses of the portions of the facility not now utilized for youth correctional purposes.</p> <p>There is one remaining unit of 36 beds which is used for meeting space but is available for alternative use.</p>