



STATE OF NEW HAMPSHIRE  
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August 15, 2022

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

**REQUESTED ACTION**

Pursuant to the provisions of RSA 21-I: 43-a, Compensation for State Employees Injured in Line of Duty, finalize the determination made by the Commissioner of the Department of Corrections that on April 27, 2022, [REDACTED], a Probation Parole Officer sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature, effective date of Governor and Council approval.

**EXPLANATION**

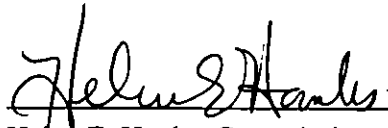
New Hampshire 21-I:43-a, Compensation for State Employees Injured in Line of Duty states:

Any injury received by any state employee who is injured in the line of duty by a hostile act, or by an act caused by another during the performance of duties which are considered dangerous in nature, that requires the employee to be hospitalized or renders the employee temporarily unable to perform the duties of his or her position shall not be charged against annual leave or sick leave for the time lost due to the injury. During such time, the employee shall remain on the active payroll. In this event, no employee shall be terminated from state service until he or she has applied for disability retirement and a final decision on the application is made by the board of trustees of the New Hampshire retirement system and appeals of such decision, if any, are finalized; provided, that the employee shall make such application within 18 months of the injury contemplated by this section. **The executive head of the employee's agency shall make the determination as to whether an injury is in the line of duty and due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature, and, after approval by the governor and council, the determination shall be final.** (emphasis added). During the time in which the injured employee remains on active payroll at full base salary pursuant to this section, his or her state compensation shall not be offset by state workers' compensation payments and he or she shall not receive state workers' compensation payments to supplement his or her full base salary. Nothing in this section shall prohibit medical payments or final settlements.

On April 27, 2022, [REDACTED], a Probation Parole Officer was injured in the line of duty due to her involvement in an incident with a parolee, in which she was exposed to methamphetamine drugs. She had to seek immediate treatment at the emergency room for life threatening injury. Injuries sustained during this event rendered her unable to perform her full duties. In accord with NH RSA 21-I:43-a, we are seeking support for [REDACTED] lost time not to be charged against her sick leave for one day.

Following a thorough review of the April 27, 2022 incident and facts related to injury, the Commissioner of the Department of Corrections determined on May 24, 2022 that injuries were in the line of duty and due to hostile or overt act, or an act caused by another during the performance of duties; which are considered dangerous in nature. Pursuant to RSA 21-I: 43-a, approval of this request shall make the Commissioner's determination final.

Respectfully submitted,



Helen E. Hanks, Commissioner  
Department of Corrections