



STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES  
 STATE MILITARY RESERVATION, 1 MINUTEMAN WAY  
 CONCORD, NEW HAMPSHIRE 03301-5607

57  
 mlc

David J. Mikolaities, Major General  
 The Adjutant General

Phone: 603-225-1200  
 Fax: 603-225-1257  
 TDD Access: 1-800-735-2964

April 21, 2022

The Honorable Karen Umberger, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, New Hampshire 03301

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

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, authorize the Department of Military Affairs and Veterans Services to amend an accept and expend item approved by the Fiscal Committee on August 20, 2021, item #21-192 and Governor and Council on August 18, 2021, item #57, by extending the completion date from June 30, 2022 to June 30, 2023 for the additional Governor's Commission Funds on Alcohol and Other Drugs in the amount of \$105,000.00 from the Department of Health and Human Services, Division for Behavioral Health to implement the Ask the Question: Ask, Link, Collaborate Technical Assistance program. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. **100% Other Funds (Governor's Commission Funds).**

**EXPLANATION**

The Department of Military Affairs and Veterans Services requests authorization to extend the completion date from June 30, 2022 to June 30, 2023. Governor and Council approved on March 9, 2022, item #14 of DHHS request by exercising a contract renewal option with no change to the price limitation of \$105,000 and extending the completion date from December 31, 2021 to June 30, 2023.

The Ask the Question: Ask, Link, Collaborate Technical Assistance program will spread awareness of the importance of identifying service members, veterans and their families who may suffer from substance misuse and substance use disorders, and will provide support to link them to appropriate treatment, services and resources in order to promote harm reduction and prevent substance use.

Your favorable action on this request would be appreciated.

Respectfully submitted,

David J. Mikolaities  
 Major General, NH National Guard  
 The Adjutant General



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

BUSINESS ADMINISTRATION  
STATE MILITARY RESERVATION  
4 PEMBROKE ROAD  
CONCORD, NEW HAMPSHIRE 03301-5652

FIS : August 20, 2021  
#5  
G&C : August 18, 2021  
#57

David J. Mikolaitics, Major General  
The Adjutant General

Phone: 603-225-1360  
Fax: 603-225-1341  
TDD Access: 1-800-735-2964

Warren M. Perry  
Deputy Adjutant General

July 13, 2021

The Honorable Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

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

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, the Department of Military Affairs and Veterans Services respectfully requests authorization to accept and expend additional Governor's Commission Funds on Alcohol and Other Drugs in the amount of \$105,000.00 from the Department of Health and Human Services, Division for Behavioral Health to implement the Ask the Question: Ask, Link, Collaborate Technical Assistance program. Effective upon Fiscal Committee of the General Court and Governor and Council approval through June 30, 2022. 100% Other Funds (Governor's Commission Funds).

Funds are to be budgeted in the following accounts:

02-12-12-121010-14340000 Dept. of Military Affairs and Veterans Services-Joint Military Task Force  
RSRC 484992  
Amount: \$105,000.00

<u>Object Class</u>	<u>Description</u>	<u>FY2022 Appropriation</u>	<u>Requested Change</u>	<u>FY2022 Adjusted Budget</u>
020-500200	Current Expenses	\$0.00	\$6,300.00	\$6,300.00
038-500177	Technology-Software License	\$0.00	\$1,400.00	\$1,400.00
070-500704	In-State Travel Reimbursement	\$0.00	\$990.00	\$990.00
102-500731	Contracts for Program Services	\$0.00	\$96,310.00	\$96,310.00
	Totals:	\$0.00	\$105,000.00	\$105,000.00
<b>Source of Funds</b>				
001-484992	DHHS	\$0.00	(\$105,000.00)	(\$105,000.00)

The Honorable Ken Weyler, Chairman  
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council

July 13, 2021

Page 2 of 2

### EXPLANATION

The Department of Military Affairs and Veterans Services requests authorization to accept and expend additional Governor's Commission Funds in the amount of \$105,000.00 for the purpose of implement the Ask the Question: Ask, Link, Collaborate Technical Assistance program in up to forty (40) selected practices that identify, refer or treat for risk of substance misues and substance use disorders statewide.

The Ask the Question: Ask, Link, Collaborate Technical Assistance program will spread awareness of the importance of identifying service members, veterans and their families who may suffer from substance misuse and substance use disorders, and will provide support to link them to appropriate treatment, services and resources in order to promote harm reduction and prevent substance use.

The New Hampshire Department of Military and Veterans Affairs is the only military base serving the State's active duty personnel, veterans and their families. It has the technical skills and resources, including trained staff, to implement and operate the Ask the Question: Ask, Link, Collaborate Technical Assistance program.

Class 020 - Current Expense funds will be used to cover miscellaneous office supplies and the cost of printed educational materials for outreach to service members, veterans and their families.


Class 038 - Technology-Software License funds will be used for Webinar License for meeting and training as needed.

Class 070 - In-State Travel Reimbursement funds will be used to pay mileage and in-state travel costs associated with local conferences and trainings.

Class 102 - Contracts for Program Services funds will be used to enter into contracts with vendors that provide Video Production Services, Data Collection/Analysis Services, Mini-grants for participating organizations and Speaker fees for their time presenting at trainings.

Your favorable action on this request would be appreciated.

Respectfully submitted,

  
David J. Mikolaities  
Major General, NH National Guard  
The Adjutant General

FISCAL SITUATION 02-12-12-121010-14340000

FY 2022 Additional Award to FY 2022 Budget Appropriation	\$105,000.00
Less: FY 2022 Budget Appropriation	<u>\$0.00</u>
Total Available Funds (Org. 14340000)	<u>\$105,000.00</u>
 This Request	 \$105,000.00

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MLC  
MLC



**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION FOR BEHAVIORAL HEALTH**

Lori A. Shibleyette  
Commissioner

Katja S. Fox  
Director

129 PLEASANT STREET, CONCORD, NH 03301  
603-271-9544 1-800-852-3345 Ext. 9544  
Fax: 603-271-4332 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

February 3, 2022

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

**REQUESTED ACTION**

Authorize the Department of Health and Human Services, Division for Behavioral Health, to enter into a **Retroactive** amendment to a memorandum of understanding with the New Hampshire Department of Military Affairs and Veterans Services, Concord, New Hampshire for continuation of the Ask the Question: Ask, Link, Collaborate Technical Assistance program in up to forty (40) selected medical practices that identify, refer, or treat for risk of substance misuse and substance use disorders statewide, by exercising a contract renewal option with no change to the price limitation of \$105,000 and extending the completion date from December 31, 2021 to June 30, 2023, effective retroactive to December 31, 2021 upon Governor and Council approval. 100% Other Funds (Governor's Commission Funds).

The original memorandum of understanding was approved by Governor and Council on June 2, 2021, item #30.

Funds are available in the following account for State Fiscal Years 2021, 2022 and 2023, with the authority to adjust budget line items within the price limitation and encumbrances between state fiscal years through the Budget Office, if needed and justified.

**05-95-92-920510-33820000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS: DIVISION FOR BEHAVIORAL HEALTH, BUREAU OF DRUG AND ALCOHOL, GOVERNOR COMMISSION FUNDS (100% Other Funds)**

State Fiscal Year	Class / Account	Class Title	Job Number	Current Budget	Increased (Decreased) Amount	Revised Budget
2021	049-584912	Transfer to Other State Agencies	92058502	\$26,250	(\$26,250)	\$ 0
2022	049-584912	Transfer to Other State Agencies	92058502	\$78,750	\$0	\$78,750
2023	049-584912	Transfer to Other State Agencies	92058502	\$0	\$26,250	\$26,250
			<b>Total</b>	<b>\$105,000</b>	<b>\$0</b>	<b>\$105,000</b>

### EXPLANATION

This request is **Retroactive** because the Department of Health and Human Services needed more time to negotiate and finalize the Memorandum of Understanding (MOU) amendment with the Department of Military Affairs and Veteran Services, and did not have the executed amendment documents in time for Governor and Executive Committee approval to prevent the current MOU from expiring.

The purpose of this request is to support the continued implementation of the Ask the Question: Ask, Link, Collaborate Technical Assistance program in up to forty (40) selected practices that will identify, refer and provide treatment for substance misuse and substance use disorders for service members, veterans and their families statewide.

Approximately 350 individuals will be served during State Fiscal Years 2022 and 2023.

The Ask the Question: Ask, Link, Collaborate Technical Assistance program spreads awareness of the importance of identifying service members, veterans and their families who may suffer from substance misuse and substance use disorders, and to provide information on resources and facilitate the process of linking them to appropriate substance misuse services and resources in order to promote harm reduction and prevent substance use. The program will last twelve (12) months and includes three phases – training, implementation and evaluation.

The New Hampshire Department of Military and Veterans Affairs is the only military base serving the State's active duty personnel, veterans, and their families. It has the resources, including trained staff with technical skills, to implement and operate the Ask the Question: Ask, Link, Collaborate Technical Assistance program.

The Department will continue to monitor the services provided in the MOU by reviewing progress summaries provided by the Department of Military Affairs and Veterans Services.

As referenced in Section 2, Term, Subsection 2.2., Duration, of the original MOU, the parties have the option to extend the agreement for up to two (2) additional years, contingent upon satisfactory delivery of services, available funding, agreement of the parties and Governor and Council approval. The Department is exercising its option to renew services for eighteen (18) months of the twenty-four (24) months available.

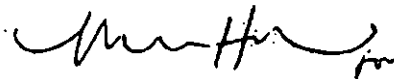
Should the Governor and Council not authorize this request, service members, veterans, and their families may not have access to services to identify, refer and provide treatment for substance misuse and substance use disorder.

Area served: Statewide

Source of Other Funds: Governor's Commission funds.

In the event that the Other Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,



Lori A. Shibinette  
Commissioner

**State of New Hampshire  
Department of Health and Human Services  
Amendment #1**

This Amendment to the Ask The Question: Ask, Link, Collaborate Technical Assistance Memorandum of Understanding ("MOU") is by and between the State of New Hampshire, Department of Health and Human Services ("DHHS") and the New Hampshire Department of Military Affairs and Veterans Services ("DMAVS") (referred to as "Parties").

WHEREAS, pursuant to an MOU approved by the Governor and Executive Council on June 2, 2021 (Item #30), the parties agreed to the terms and conditions specified in consideration of certain sums specified; and

WHEREAS, pursuant to Section 2, Term., Subsection 2.2, Duration, the MOU may be amended by mutual written agreement at any time, subject to approval from the Governor and Executive Council; and

NOW THEREFORE, in consideration of the foregoing and the mutual covenants and conditions contained in the MOU and set forth herein, the Parties hereto agree to amend as follows:

1. Section 2., Term, Subsection 2.2., Duration, to read:

2.2 Duration: The duration of this MOU is from the Effective Date through June 30, 2023. The Parties may extend the MOU for up to six (6) months at any time by mutual written agreement, subject to the availability of funds, satisfactory performance of responsibilities, and Governor and Council approval.

2. Section 5., Payment Terms, Subjection 5.1., to read:

5.1 The maximum amount of funds available for reimbursement under this Agreement from DHHS to DMAVS shall not exceed \$78,750 in State Fiscal Year 2022, and \$26,250 in State Fiscal Year 2023.

All terms and conditions of the MOU not modified by this Amendment remain in full force and effect. This Amendment shall be retroactively effective to December 31, 2021, upon Governor and Council approval.

IN WITNESS WHEREOF, the parties have set their hands as of the date written below,

State of New Hampshire  
Department of Health and Human Services

2/2/2022

Date

DocuSigned by:

Katja S. Fox

ED9D05804C83442...

Name: Katja S. Fox

Title: Director

State of New Hampshire  
Department of Military Affairs and Veterans Services

2/2/2022

Date

DocuSigned by:

MG David Mikolaitis

ED9D05804C83442...

Name: MG David Mikolaitis

Title: Adjutant General



The preceding Amendment, having been reviewed by this office, is approved as to form, substance, and execution.

OFFICE OF THE ATTORNEY GENERAL

2/3/2022

Date

DocuSigned by:  
*Robyn Guarino*  
248724841011400  
Name: Robyn Guarino  
Title: Attorney

I hereby certify that the foregoing Amendment was approved by the Governor and Executive Council of the State of New Hampshire at the Meeting on: \_\_\_\_\_ (date of meeting)

OFFICE OF THE SECRETARY OF STATE

Date

Name:  
Title:



Lori A. Sibiak  
Commissioner

Katja S. Fox  
Director

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION FOR BEHAVIORAL HEALTH

129 PLEASANT STREET, CONCORD, NH 03301  
603-271-9544 1-800-852-3345 Ext. 9544  
Fax: 603-271-4332 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

May 5, 2021

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

**REQUESTED ACTION**

Authorize the Department of Health and Human Services, Division for Behavioral Health, on behalf of the Governor's Commission on Alcohol and Other Drugs, to enter into a memorandum of understanding with the New Hampshire Department of Military Affairs and Veterans Services, Concord, New Hampshire in the amount of \$105,000, to implement the Ask the Question: Ask, Link, Collaborate Technical Assistance program in up to forty (40) selected medical practices that identify, refer or treat for risk of substance misuse and substance use disorders statewide, with the option to renew for up to two (2) additional years, effective upon Governor and Council approval through December 31, 2021, with the authority to adjust budget line items within the price limitation through the Budget Office, if needed and justified.

05-95-92-920510-33820000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS: DIVISION FOR BEHAVIORAL HEALTH, BUREAU OF DRUG AND ALCOHOL, GOVERNOR COMMISSION FUNDS

State Fiscal Year	Class / Account	Class Title	Job Number	Total Amount
2021	049-584912	Transfer to Other State Agencies	92058502	\$26,250
2022	049-584912	Transfer to Other State Agencies	92058502	\$78,750
			Total	\$105,000

**EXPLANATION**

The purpose of this Memorandum of Understanding (MOU) is to support the implementation of the Ask the Question: Ask, Link, Collaborate Technical Assistance program in up to forty (40) selected medical practices that will identify, refer and provide treatment for substance misuse and substance use disorders for service members, veterans and their families statewide.

Approximately 80 individuals will be served from June 1, 2021 to December 31, 2021.

The Ask the Question: Ask, Link, Collaborate Technical Assistance program will spread awareness of the importance of identifying service members, veterans and their families who may suffer from substance misuse and substance use disorders, and to provide information on resources and facilitate the process of linking them to appropriate substance misuse services and resources in order to promote harm reduction and prevent substance use. The program will last 12 months and includes three phases – training, implementation, and evaluation.

The New Hampshire Department of Military and Veterans Affairs is the only military base serving the State's active duty personnel, veterans, and their families. It has the resources, including trained staff with technical skills, to implement and operate the Ask the Question: Ask, Link, Collaborate Technical Assistance program.

The Department will monitor the services provided in the MOU by reviewing progress summaries provided by the Department of Military Affairs and Veterans Services.

As referenced in Section 2, Term, Subsection 2.2, Duration of the MOU, the parties have the option to extend the agreement for up to two (2) additional years, contingent upon satisfactory delivery of services, available funding, agreement of the parties, and Governor and Council approval.

Should the Governor and Council not authorize this request, service members, veterans, and their families may not have access to services to identify, refer and provide treatment for substance misuse and substance use disorder.

Area served: Statewide.

Respectfully submitted,



Lori A. Shibinette  
Commissioner

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES



AND

THE NEW HAMPSHIRE DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

MOU-2021-BDAS-05-ASKTH-01

1. GENERAL PROVISIONS

- 1.1. This Memorandum of Understanding (MOU) is between the New Hampshire Department of Health and Human Services ("DHHS"), Division for Behavioral Health, Bureau of Drug and Alcohol Services, 129 Pleasant Street, Concord, NH 03301 and the New Hampshire Department of Military Affairs and Veterans Services ("DMAVS"), 4 Pembroke Road, Concord, New Hampshire 03301 (mutually referred to as the "Parties").
- 1.2. The purpose of this MOU is to set forth the roles and responsibilities of DHHS and DMAVS for the use of funds from the Governor's Commission on Alcohol and Other Drugs. Funds will support the Ask the Question: Ask, Link Collaborate Technical Assistance program to identify, refer and provide treatment for substance misuse and Substance Use Disorder. The program will identify and refer service members, veterans, and their families to appropriate services.
- 1.3. In connection with the performance of this MOU, DHHS and DMAVS shall comply with all applicable laws and regulations.

2. TERM

- 2.1. Effective Date: This MOU is effective upon approval by the Governor and Executive Council.
- 2.2. Duration: The duration of this MOU is from the Effective Date through December 31, 2021. The parties may extend this MOU for up to two (2) years at any time by mutual written agreement, subject to the continued availability of funds, satisfactory performance of responsibilities, and Governor and Council approval.
- 2.3. Modification: The parties may modify this MOU by mutual written agreement at any time, subject to approval from the Governor and Executive Council.
- 2.4. Termination: Either party may unilaterally terminate this MOU upon written notice to the other party, in which case the termination shall be effective thirty (30) days after the date of that notice or at a later date specified in the notice. In the event of an early termination of this MOU for any other reason than the completion of services, DMAVS shall deliver to DHHS, not later than thirty (30) days after the termination, a "Termination Report" describing in detail all activities performed and the MOU funds used up to and including the date of termination. In the event the services and/or prescribed outcomes described within this MOU are not met to the satisfaction of DHHS, DHHS reserves the right to terminate this Agreement and any remaining funds will be forfeited. Such termination shall be submitted in writing to DMAVS and will require DMAVS to deliver a final Termination Report as described above.

3. RESPONSIBILITIES OF THE NEW HAMPSHIRE DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

3.1. DMAVS agrees to:

- 3.1.1. Use the funding provided by DHHS from the Governor's Commission funds to support the implementation of the Ask the Question: Ask, Link, Collaborate Technical Assistance program in up to forty (40) selected practices that identify,



refer or treat for risk of substance misuse and substance use disorders statewide, to include:

- 3.1.1.1. **Implementing Phase 1: Preparation and Enrollment by:**
  - 3.1.1.1.1. **Conducting outreach and enrolling up to forty (40) selected medical practices statewide;**
  - 3.1.1.1.2. **Establishing a point of contact within each practice;**
  - 3.1.1.1.3. **Providing Ask the Question: Ask, Link, Collaborate Technical Assistance program orientation to participating practices; and**
  - 3.1.1.1.4. **Coordinating guest speakers for program training.**
- 3.1.1.2. **Implementing Phase 2: Military Cultural Competency & ATQ Training by:**
  - 3.1.1.2.1. **Ensuring each point of contact registers appropriate staff to complete program-related professional development including Ask the Question training and military cultural competency training applicable to the staff's professional role;**
  - 3.1.1.2.2. **Providing Ask the Question: Ask, Link, Collaborate virtual training to registered staff from participating practices; and**
  - 3.1.1.2.3. **Making funds available to participating practices for program implementation and maintenance through an application process.**
- 3.1.1.3. **Implementing Phase 3: Implementation by:**
  - 3.1.1.3.1. **Providing consultation and coaching to assist practices in determining how to operationalize the principles of Ask the Question: Ask, Link, and Collaborate in practice policies, procedures and protocols.**
- 3.1.1.4. **Implementing Phase 4: Evaluation and Recognition by:**
  - 3.1.1.4.1. **Collecting data sets for evaluation from participating practices for evaluation; and**
  - 3.1.1.4.2. **Recognizing practices that meet all program requirements as NH Veteran-Friendly Providers.**
  - 3.1.1.4.3. **Create and maintain a contract with a vendor to provide program evaluation to track intermediate and long-term outcomes.**
  - 3.1.1.4.4. **Intermediate outcomes include, but are not limited to:**
  - 3.1.1.4.5. **Increasing the number of practices that Ask the Question during intake procedures.**
  - 3.1.1.4.6. **Increasing the number of practices that link military-connected patients to military-specific resources.**
  - 3.1.1.4.7. **Increasing the number of staff at each practice who are trained in military culture and the impact of military service on patients.**



3.1.1.4.8. Increasing the number of patient referrals to military-specific services and resources including the VA.

3.1.2. Achieve long-term outcomes including, but are not limited to:

- 3.1.2.1. Reducing the number of military-connected patients indicating the use of illicit drugs or alcohol within the past 30 days using an applicable survey.
- 3.1.2.2. Increasing the number of military-connected patients who indicate a feeling of confidence in their provider's ability to effectively address their healthcare concerns using an applicable survey.
- 3.1.2.3. Increasing the number of military-connected patients who indicate a feeling that their sacrifice is recognized and appreciated using an applicable survey.
- 3.1.2.4. Increasing the level of confidence in staff of their ability to effectively refer and treat Service members and Veterans using an applicable survey.
- 3.1.2.5. Creating and maintaining a contract with a vendor to record and edit videos that will be utilized for training purposes within the Ask the Question: Ask, Link, Collaborate Technical Assistance program.
- 3.1.2.6. Creating and maintaining a contract with a vendor to produce printed materials, including Ask the Question Toolkits, to be used in all phases of the program.
- 3.1.2.7. Creating and maintaining a contract with a vendor to create military accoutrements and program supplies that include, but are not limited to NH Veteran-Friendly Provider decals for participating practices that successfully complete the program
- 3.1.2.8. Providing quarterly summaries on the progress of the use of funds to the Governor's Commission and DHHS. Any data provided in these summaries shall be aggregated and not include any personally identifiable information or other confidential information.
- 3.1.2.9. Taking appropriate steps to accept and expend the funds provided within the project period. At the conclusion of the Fiscal Year, DMAVS will report the unspent balance to DHHS. DMAVS agrees to submit quarterly invoices to DHHS by the 21st business day of the following month for costs incurred. Invoices must include a description of services and associated costs.

3.1.3. Mail, or email, invoices to:

**Jill Burke**  
**Bureau of Drug and Alcohol Services**  
**129 Pleasant Street**  
**Concord, NH 03301**  
**(603) 271-6112**  
**Jill.Burke@dhhs.nh.gov**



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**4. RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**4.1. DHHS agrees to:**

- 4.1.1. Provide funding to DMAVS to support the implementation of the Ask the Question: Ask, Link, Collaborate Technical Assistance program, up to a maximum amount of \$105,000 in State Fiscal Year 2021 and beyond for the projects obligated in State Fiscal Year 2021.
- 4.1.2. Pay DMAVS within thirty (30) days of receipt of the approved invoices.
- 4.1.3. Monitor the expenditure of funds within this MOU by reviewing quarterly summaries and associated invoices provided to DHHS by DMAVS.

**5. IT IS FURTHER UNDERSTOOD AND AGREED BETWEEN THE PARTIES:**

- 5.1. Notwithstanding any provision of this MOU to the contrary, all obligations of DHHS hereunder are contingent upon the availability and continued availability of funds from the Governor's Commission. DHHS shall not be required to transfer funds from any other source in the event that such funds become unavailable. DHHS may adjust encumbrances between State Fiscal Years within the price limitation through the Budget Office, if needed and justified.
- 5.2. Disputes arising under this MOU which cannot be resolved between the agencies shall be referred to the New Hampshire Department of Justice for review and resolution.
- 5.3. This MOU shall be construed in accordance with the laws of the State of New Hampshire.
- 5.4. In the event any of the provisions of this MOU are held to be contrary to any state or federal law, the remaining provisions of this Memorandum of Understanding will remain in full force and effect.
- 5.5. This MOU, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire Memorandum of Understanding and understandings between the parties, and supersedes all prior Memoranda of Understanding and understandings relating hereto.
- 5.6. Nothing herein shall be construed as a waiver of sovereign immunity, such immunity being hereby specifically preserved.

Memorandum of Understanding Between DHHS and DOE  
MOU-2021-BDAS-DMAVS



APPROVALS:

*Lori A. Shabinette*  
Lori A. Shabinette  
Commissioner  
NH Department of Health and Human Services

5.10.21  
Date

*For* *David J. Mikolaitis* DTAG  
Major General David J. Mikolaitis  
Adjutant General  
Department of Military Affairs and Veterans Services

4/30/2021  
Date

The preceding Memorandum of Understanding, having been reviewed by this office, is approved as to form, substance, and execution.

OFFICE OF THE ATTORNEY GENERAL

05/11/21  
Date:

*Catherine Pinos*  
Name:  
Title: Catherine Pinos, Attorney

The foregoing Memorandum of Understanding was approved by the following authority of the State of New Hampshire:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Name:  
Title: