Bill as Introduced

HB 1109 – AS INTRODUCED

2001 SESSION

01-2057
05/10

HOUSE BILL ***1109***

AN ACT establishing a commission to study problems related to the delivery of local assistance.

SPONSORS: Rep. W. Johnson, Belk 4; Rep. MacKay, Merr 24; Rep. Pilliod, Belk 3; Rep. Millham, Belk 4; Rep. Wallner, Merr 24; Sen. Wheeler, Dist 21

COMMITTEE: Municipal and County Government

ANALYSIS

This bill establishes a commission to study problems related to the delivery of local assistance.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1109 - AS INTRODUCED

01-2057
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand One

AN ACT establishing a commission to study problems related to the delivery of local assistance.

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

1 Commission Established. There is established a commission to study problems related to the delivery of local assistance.

2 Membership and Compensation.

I. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house.

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

(c) One representative of the office of homeless and housing services, department of health and human services, appointed by the commissioner of the department of health and human services.

(d) One representative of the division of family ~~services~~ assistance, department of health and human services, appointed by the commissioner of the department of health and human services.

(e) Two representatives of the New Hampshire Local Welfare Administrators Association, appointed by that organization.

(f) One representative of the New Hampshire Municipal Association, appointed by that organization.

(g) One representative of the New Hampshire Coalition to End Homelessness, appointed by that organization.

(h) One representative of the New Hampshire Council of Churches, appointed by that organization.

(i) One representative of New Hampshire Legal Assistance, appointed by that organization.

(j) One representative from the New Hampshire Domestic Violence Coalition, appointed by that organization.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

3 Duties. The commission shall:

I. Solicit input from interested persons throughout the state, both within government and from the public, to address problems relating to:

(a) Assistance to individuals in temporary living facilities.

(b) Standardization of welfare guidelines.

(c) Mediation and sanctioning processes for disputes between municipalities.

(d) Qualifications of local welfare administrators.

(e) Collaboration and partnerships among various provider associations.

(f) Codification and clarification of all pertinent statutes.

include CAP

II. Make recommendations for statutory and administrative changes to improve the delivery of local assistance to those in need.

4 Chairperson; Quorum. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2002.

6 Effective Date. This act shall take upon its passage.

Amendments

Rep. W. Johnson, Belk. 4
January 30, 2002
2002-2382h
05/09

Amendment to HB 1109

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

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(a) Three members of the house of representatives, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

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(h) One representative of the New Hampshire Council of Churches, appointed by that organization.

(i) One representative of New Hampshire Legal Assistance, appointed by that organization.

(j) One representative of the New Hampshire Coalition Against Domestic and Sexual Violence, appointed by that organization.

(k) One representative of the New Hampshire Community Action Association, appointed by that organization.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1109 Date Jan 29/02

Committee Municipal & County

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Martha Yager	4 Park St		Housing Forum	X	
Sheila Evans	PO Box 1072 Concord NH		Women's Lobby	224-9105 X	
Rep. Jim MacKay	Menr 24			X	
Bill Connelly	Gilford	293-4993	Gilford Welfare	XX	
Eulia Johnson	Gilford - St. Vincent DePaul			X	
Margaret Dinkell	Merrimack-Belknap C.A.P: Homeless &			X	
Brigitte Meisner	Laconia NH		Merrimack, Belknap Housing Comm. Action	X	
Faith Pappagallo	Laconia NH		Laconia Area Community Land Trust	X	
Chris Latavka, Concord, N.H.			NHHCA	X	
Rep Alicia Mellen	Gilford			X	
Sen Katherine Wheeler				X	
Linda Gruisch	NH Coalition Against Domestic & Sexual Violence			X	

Hearing Minutes

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 1109

BILL TITLE: establishing a commission to study problems related to the delivery of local assistance.

DATE: 1/29/02

LOB ROOM: 301 **Time Public Hearing Called to Order:** 1.10.a.m.

Time Adjourned: 2.20p.m.

(please circle if present)

Committee Members: Reps. Patten, Brundige, Griffin, Akins, Lockwood, R. Eaton, Fairbanks, Lachance, Twombly, Boyce, M. Fraser, Dumaine, Guinta, Matthew Quandt, N. Johnson, Bellavance, M. Cooney, Goodwin, Scovner, W. Johnson and Quandt.

Bill Sponsors: Rep. W. Johnson, Belk 4; Rep. MacKay, Merr 24; Rep. Pilliod, Belk 3; Rep. Millham, Belk 4; Rep. Wallner, Merr 4; Sen. Wheeler, Dist. 21.

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. W. Johnson, Belk 4.

Support the bill. His worked with the St. Vincent DePaul Society has led him to understand the problems associated with many different organizations, public and private, that deliver welfare assistance. A commission to study this would lead to more efficient use of welfare funds. Because of the economy, many more people are in need of assistance. This bill will sustain and strengthen the exiting networks.

Elliot Berry, N.H. Legal Assistance.

Supports the bill. 1793 was the first law concerning the destitute and today's law is virtually the same. Some changes are because of the mobility of todays population and also because there are many more reasons that cause need for welfare. City welfare officers are feeling overburdened. Need to zone in on how we handle transients and who is ultimately responsible. The concept of a broader base for support for transients is a good idea.

Christine Spicher, N.H. Local Welfare.

Supports the bill. Helped write it. There are definitely problems with the present welfare delivery. This commission would study those problems for everyone to better serve the needy.

Eileen Brady, Nasha soup Kitchen/Shelter.

Supports the bill. Described many of the problems, housing primarily. Need for standardization of services throughout the state.

Liabritt Solsky, DFA.

Supports the bill, see handout.

Judy Silva, NHMA.

Supports the bill. N.H. does not have a state run assistance program. It is a local program funded by property taxes. The transient population is definitely a problem. Small towns do not have efull time welfare officers. Broad differences in municipalities. Lately, there has been a better degree of cooperation between the state and local municipalities . However, there are still many problems and this bill will set up an opportunity for various organizations to coordinate services.

Sara Dustin, Parents for justice.

Supports the bill, but would like an amendment. There are serious problems with local welfare regulation. Talked about the difficulties welfare recipients have in getting assistance. Want to add to the commission. Needs someone who is a welfare recipient. Hopefully, the issues will include financial responsibility, which town has the responsibility?. The biggest issue is housing and the siting of that housing.

Add Kevin Bates testimony

Respectfully submitted,

Priscilla P. Lockwood

Priscilla P. Lockwood
Clerk

HB 1109 1/29/02

Start. 1:10
finish 2:20

* Rep. W. Johnson Belk 4

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Elliot Berry N.H. Legal Assistance

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over

Eileen Brady Nashua Soup Kitchen / Shelter
Supports the bill. Described many of the problems - housing primarily. Need standardization of services throughout the state.

* Lisabritt Soloky DFA (HHS)
Supports the bill. See handout.

Judy Silva NHMA
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Sara Dustin Parents for Justice Org.
Supports the bill, but would like an amendment. There are serious problems with local welfare [redacted] regulations. Talked about the difficulties welfare recipients have in getting assistance. Want to add to the commission. Needs someone who is a welfare recipient.

Keith Bates Dir. Welfare, Portsmouth + Newcastle
Supports this bill. Will help welfare directors do their job better. Support adding C&P and "consumer" to the commission. — more —

Hopefully, the issues will include financial responsibility - which town has the responsibility? The biggest issue is housing and the siting of that housing.

Testimony

WOMEN'S CRISIS SERVICES
of the Monadnock Region, Inc.

12 Court Street, Keene, New Hampshire 03431-3402
(603) 352-3782 Jaffrey Office (603) 532-6800
FAX (603) 355-5227

January 28, 2002

Written testimony for HB1109
Local Welfare Study Committee

As a social service provider for the past fifteen years, I have found members of the NH Local Welfare Administrators Association to be professional and receptive to working with and encouraging feedback from area service providers. They have established professional standards, training and staff development opportunities and also monitor themselves internally. Local welfare administrators are on the front line, no one is more aware of the challenges facing consumers and the issues regarding service delivery. A study committee working with the NH Local Welfare Administrators Association to consider the challenges and possible resolutions would expedite the process of the Welfare Administrators achieving their statewide goals. I would encourage the committee to hear the pros and cons of each issue and be mindful of the differences between the large and small communities and the full-time vs. part-time Welfare offices.

Elizabeth C. Sayre

Elizabeth C. Sayre
Executive Director
Women's Crisis Services of the Monadnock Region

Testimony HB 1109 Proposing to Study Delivery of Local Welfare
January 29, 2002 Committee on Municipal and County Government
Lisabritt Solsky, Division of Family Assistance, DHHS

Good afternoon Madame Chairman and members of the committee. My name is Lisabritt Solsky, I am counsel at the Division of Family Assistance within the Department of Health and Human Services. DFA is the division with responsibility for determining eligibility for and delivering benefits under state and federal programs of public welfare assistance such as Temporary Assistance to Needy Families, Food Stamps, Aid to the Permanently and Totally Disabled, Old Age Assistance, Aid to the Needy Blind and Medicaid.

Over the last five years, DFA has established a very positive and cooperative working relationship with the NH Local Welfare Administrator's Association (NHLWAA). Leadership of the association and DFA management have worked collaboratively to meet the needs of vulnerable families and individuals in New Hampshire. For instance, DFA and member towns of the association have protocols in place allowing for efficiency in meeting emergent needs of individuals and families, such as provision of security deposits to secure rental housing. In such circumstances, time is of the essence and both DFA and the association appreciate the benefits of working together to meet the needs of our mutual clients. Additionally, DFA staff regularly attend meetings of the association to address DFA specific concerns while Christine Spicher (president of the NHLWAA) participates as a member of DFA's Welfare Reform Adviosry Council as well as the TANF Hardship Extension Review Committee. Low income people in New Hampshire benefit from the positive relationship cultivated between DFA and the association.

To that end, DFA supports the association in its effort through this bill to examine honestly and openly their best practices and those practices which may benefit from revision. DFA is sensitive to the many issues confronting low income people in New Hampshire, not the least of which is the housing crisis, economic downturn, increasing and burdensome prescription drug costs, and growing gap between rich and poor. We believe that the association may increase quality service delivery by studying the current

system and New Hampshire residents will ultimately benefit from the dialogue proposed in HB 1109. For this reason, the Department offers support of this bill.

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

January 29, 2002

The Honorable Betsey Patten, Chair
Municipal and County Government Committee
State of New Hampshire
House of Representatives
Legislative Office Building, Room 301
Concord, NH 03301

Dear Chairman Patten and members of the Committee:

I am pleased to come before you today as the prime sponsor of HB1109 – an act establishing a commission to study problems related to the delivery of local assistance. As many on the committee know, I have been involved as a volunteer with the Laconia Conference of the St. Vincent de Paul Society for approximately 8 years.

The Society is a charitable organization dedicated to helping those in financial need. As President of the Laconia Conference for approximately 5 years and coordinator of their Financial Assistance Program, I helped direct the organization in a tradition of cooperation with a variety of other local assistance organizations, including many of the town welfare offices in the Lakes Region. This tradition included providing food to supplement town and city voucher programs, rent deposit guarantees to facilitate the relocation of town assistance clients, and a gas voucher program for the City of Laconia. In addition, SVDP volunteer financial assistance teams regularly work closely with municipal welfare directors in developing a complimentary "package" of assistance for families and individuals needing help.

The local networks of assistance are informal in nature and include municipal welfare administrators, various state agencies under the auspices of the Department of Health and Human Services, and a variety of private, non-profit social service providers. These organizations work together to develop complimentary programs of assistance to prevent both the overlap of services and gaps in the economic assistance safety net. Representatives of a number of these agencies and organizations are here today to testify on HB1109.

It is with this background that I have become concerned over the health of such local networks of assistance. The current economic downturn, now officially in recession, will bring added pressures on these networks, especially municipal welfare budgets. The lack of affordable housing and increased homelessness is forcing more families to relocate in search of jobs, housing, and needed services.

The Community Action Plans in the state recently announced that their Fuel Assistance Program has run dry of funds. All of us await the decision of the Federal Government on the release of additional dollars. Finally, many recipients of State Welfare – Temporary Assistance

for Needy Families – will soon reach the 5-year termination date. While the Department of Health and Human Services will continue to work with these families by extending deadlines, many families in transition from welfare will continue to need assistance to offset low-wage employment, rising housing and childcare costs, and inadequate health insurance.

My concern is that fiscal pressures created by the economic and social problems discussed above will begin to adversely affect local assistance networks. Local welfare budgets will begin to increase at the same time municipalities are dealing with other fiscal problems such as rising school costs and inadequate revenues. Welfare budgets, already the least popular line item with taxpayers, may face undue budgetary scrutiny and opposition. These fiscal pressures will also affect the budgets of private sector non-profits involved in the provision of assistance. Rather than working in a cooperative spirit, the network environment may become acrimonious with quibbling over respective agency responsibilities. The mobility of the homeless discussed above may exacerbate the assistance problems of certain municipalities, especially our cities where needed services are usually located. It could also lead to confrontation between municipalities themselves as questions of residency are raised.

And who suffers most from this? The very families and individuals that we are dedicated to serve. As more people need such assistance, that very help becomes precarious.

These are the reasons I've introduced HB1109. A study commission would provide a venue for the discussion of these very problems. Furthermore, it allows for a renewal of the spirit of accommodation and compromise. It would strengthen the network of public and private social service providers in our local communities. The commission would be in a position to review existing state statutes relating to local assistance and recommend legislation, if changes were needed. The commission can also develop informal administrative and procedural changes within the network.

The committee should note that this is study COMMISSION not a study COMMITTEE. That provision in the bill was done intentionally to be able to include representatives of the various organizations involved in local assistance "around the table." After all, it is these hard working individuals who understand the workings of the network, who are "in the trenches" of local assistance, and who must live with the process after the commission finishes its findings.

In concluding my testimony, I must bring to the committee's attention two aspects of the bill text that were NOT intentional. The state's Community Action Plan should be represented on the commission, but was inadvertently omitted. Last, on line 11 of the bill, the word "services" should be changed to "Assistance." I would be happy to contact Legislative Services for an amendment to correct these oversights.

I hope that the committee concurs with me on the need of addressing these concerns. As I'm sure you are aware, the local assistance network – especially our municipal welfare offices – are the bastions of last resort for many of our New Hampshire families in need – literally, "where the buck stops." I thank you for the opportunity to bring this matter to your attention.

Sincerely,

William G. Johnson
Belknap County District #4
Town of Gilford

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

RECEIVED
OCT 22 2003
By KW

MEMORANDUM

DATE: **October 21, 2003**

TO: **Honorable Craig Benson, Governor**
Honorable Gene G. Chandler, Speaker of the House
Honorable Thomas R. Eaton, President of the Senate
Honorable Karen O. Wadsworth, House Clerk
Honorable Steven J. Winter, Senate Clerk
Michael York, State Librarian

FROM: **Rep. Robert Brundige, Chairman**
19 Level Street, Merrimack NH 03054-2826
(603) 424-6971

SUBJECT: **Final Report on HB 1109, establishing a commission to study problems related to the delivery of local assistance**

Pursuant to Chapter 184:1, Laws of 2002, enclosed please find the Final Report of the committee charged with studying HB 1109, regarding problems related to the delivery of local assistance.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

RB:co
cc: Study Committee Members
Nancy LeVinus, Committee Researcher

FINAL REPORT

COMMISSION TO STUDY PROBLEMS RELATED TO THE DELIVERY OF LOCAL ASSISTANCE

HB 1109, CHAPTER 0184:1, LAWS OF 2002

COMMITTEE CHARGE:

184:3 Duties. The commission shall:

I. Solicit input from interested persons throughout the state, both within government and from the public, to address problems relating to:

(a) Assistance to individuals in temporary living facilities.
(b) Standardization of welfare guidelines.
(c) Mediation and sanctioning processes for disputes between municipalities.
(d) Qualifications of local welfare administrators.
(e) Collaboration and partnerships among various provider associations.
(f) Codification and clarification of all pertinent statutes.

II. Make recommendations for statutory and administrative changes to improve the delivery of local assistance to those in need.

OVERVIEW OF COMMITTEE ACTIVITY:

The committee met 10 times between August 14, 2002 and September 29, 2003. The minutes of those meetings are attached.

A wide range of professionals served on the committee and provided expert advice and perspective to the committee as a whole. Presentations were given by the committee members representing the Local Welfare Administrators Association and the Coalition Against Domestic and Sexual Violence. These individuals shared their experiences in the realm of real-life day-to-day issues encountered in the field and how the practical responses to crisis situations are not easily understood by the general public or even by some of their own peers. An ideal collaborative effort underway in the Monadnock area was presented as the goal to strive for inter-community cooperation to best serve those in need. The representative from the Council of Churches also gave the committee an update regarding efforts in the Nashua area to coordinate service providers and the problems encountered. The representative from New Hampshire Legal Assistance provided the committee with scenarios of real situations and advice on how to balance community obligations without harm to individuals in need. The New Hampshire Municipal Association provided insight as to the practical difficulties of assigning costs and responsibilities

between large and small communities and the constitutional limits to standardizing training and procedures that must govern welfare administrators' efforts. Representatives from the Department of Health and Human Services provided statistics that highlighted increased use of municipal and state resources and informed the members about the state-local relationship regarding coordination of information and data. General committee discussion touched on the issue of affordable housing and decided that was beyond the scope of the committee charge.

REPORT

(a) Assistance to individuals in temporary living facilities. & (c) Mediation and sanctioning processes for disputes between municipalities.

The committee discussed problems related to the definition of 'temporary' and 'residency', as individuals do not lose their residency status while at a temporary shelter. In recent years, temporary shelter stays have grown in duration, making it difficult to determine financial responsibility. The practice of "dumping" or transferring recipients from one community to another community shifts the problem temporarily. The Local Welfare Administrators Association has passed an ethics-type policy to prevent this practice, but local officials may feel pressured financially to divest themselves of these individuals. There is no question as to responsibility to provide service; the thorniest of issues is getting communities to reimburse for services provided by a receiving community. Statutory provisions are not clear and some members were hesitant to require that communities reimburse on demand. Community wealth and resources play a large role in each municipality's approach.

The commission agreed to put forward a proposal for legislation whereby lawful tenancy or lawful membership in a tenant or owner-occupied household within 6 months prior to application is the determinative factor for liability for the first 30 days of assistance provided by another municipality. The suggested changes do not address residency or the obligation to provide assistance on demand. The intent is to clarify under what, if any circumstances, a town may be financially liable to another town for assistance provided.

The commission endorses the efforts of the Local Welfare Administrators Association to institute a membership mediation process for town reimbursement for administration of services to residents of another town. The process would only apply to those municipalities that apply for or continue their membership in the Association, thereby agreeing to such bylaws. Municipalities that do not belong to the Association would not be subject to any such sanctions or penalties and the state would have no role. Three members of the Executive Committee of the Association will comprise a mediation committee and the functions will include:

- Resolution of the immediate issue of which town is responsible to provide direct service at the first instance;

- Resolution of disputes between municipalities as the municipality that is fiscally responsible for services already rendered;

- Responding to clients who have not been served.

(b) Standardization of welfare guidelines.

The Local Welfare Administrators Association is working on model guidelines with the New Hampshire Municipal Association. Many towns utilize these guidelines in the formation of their own municipal guidelines. The last set of welfare guidelines was updated in 1992. The new guidelines will consider legislative changes and perhaps a standard application for assistance to be compatible with law and software.

Data collection is not consistent statewide, which would make collaboration easier. The current New Hampshire Municipal Assistance Program Software (NH MAPS) is not interactive but will be available to nonprofits. The cost is $25 for members and the tool, not the data, is for sale. It contains legal notices, case notes, demographics, etc, and can generate an unlimited number of reports. An upgrade will web-enable the program and make it interactive. The hope is that it will be able to interface with state technology and Community Action Program agencies may be able to interact also. Five cities, (Dover, Keene, Portsmouth, Franklin and Lebanon) spent $25,000 to get their own program up and running. By September 2004 the Homeless Management Information System (HMIS) will link the state to homeless shelters and some federal money has been received. There is a possibility that local welfare administrators could link to this system in the future.

(d) Qualifications of local welfare administrators.

The committee discussed the qualifications of local welfare administrators as an area that would be very difficult to regulate. The majority of the welfare administrators are appointed by their governing bodies in accordance with locally determined qualifications. State-imposed requirements for particular backgrounds or certain training would inevitably lead to increased municipal costs that would certainly be objectionable as unfunded mandates. The committee recognized that more qualified individuals make collaboration easier.

The New Hampshire Municipal Association provides workshops and training as well as handbooks and a legal hotline. The Local Welfare Administrators Association also provides workshops and training and mentors their members to provide professional support statewide. Requiring participation in these activities could lead to heavy resistance and the committee was not willing to pursue this idea. State funding and staffing support are not a practical considerations.

(e) Collaboration and partnerships among various provider associations.

The Monadnock Partnership presented its program of one type of sustained collaboration, unlike the possible scenario whereby diverse groups will work together to secure grant funding and then disband as soon as the funding is awarded. We encourage ongoing local collaboration in all

regions of the state. The committee recognized the Monadnock Partnership as a model that could be utilized to demonstrate the advantages of on-going collaborations.

(f) Codification and clarification of all pertinent statutes.

Rather than redefine terms such as "residency" and "temporary", with possible far-reaching unintended consequences, the committee opted to work within current statutory framework to address the most pressing concern. A narrow approach designed to create a process for reimbursement between municipalities did not require that these terms change.

II. Make recommendations for statutory and administrative changes to improve the delivery of local assistance to those in need.

1. The committee will submit draft legislation for the 2004 legislative session relative to inter-municipal reimbursement liability for the first 30 days of services provided.

2. The committee encourages efforts by the Local Welfare Administrators Association to update their guidelines and continue to encourage supporting activity for less-experienced administrators.

3. The local welfare administrators are encouraged to participate in local agency collaboration whenever possible.

4. The state of New Hampshire Department of Health and Human Services should seek ways to enable data sharing and compatibility with local welfare data systems to the greatest extent possible.

5. The Commission endorses the efforts of the Local Welfare Administrators Association to institute a membership mediation process to resolve disputes over financial liability for assistance given to former residents of another municipality.

Respectfully submitted,

Rep. Robert Brundige, Chairman

RB:co

Attachments

PROPOSAL FOR AMENDING RSA 165 RE: RECOVERY FOR RELIEF AND MAINTENANCE PROVIDED TO CERTAIN NON-RESIDENTS

1. Amend RSA Chapter 165 by adding the following new sections:

165:19-a-Liability for support in town of most recent residence.

1. Any municipality which provides support and maintenance pursuant to RSA 165:1, I to a person who has not resided or been present in the municipality for thirty days, may recover from the municipality in which the person most recently resided, all assistance provided to the person during his first 30 days in the assisting municipality. For the purpose of this chapter, the municipality in which the person most recently resided refers to the municipality in which a person most recently:

a) was a lawful tenant or lawful member of a tenant household within the six-month period immediately preceding the initial grant of assistance by the assisting municipality. Occupants of property set forth in RSA 540:1-a, IV, and RSA Chapter 540-B:1, **and occupants of emergency shelters for homeless persons,** shall not be considered tenants or members of tenant households for the purpose of this section; or

b) resided in a home which was:

1) owned by the recipient or his spouse or a member of their household within the six-month period immediately preceding the initial grant of assistance by the assisting municipality; or

2) owned by the parents of the recipient or his spouse within the six-month period immediately preceding the initial grant of assistance by the assisting municipality.

II. A municipality that provides support and maintenance to a person who occupies an emergency shelter for homeless persons may recover from the municipality of most recent residence all assistance provided while the person resides in such shelter.

III. Notwithstanding the provisions of paragraph I and II of this section, the municipality of most recent residence shall not be liable if the assisted person was denied assistance or has been suspended by the municipality of most recent residence for the time period covered by the assistance furnished by the assisting municipality. In order to be relieved of liability pursuant to this paragraph, the municipality of most recent residence must have issued a lawful written notice of denial, termination, or suspension of assistance to the recipient, a copy of which shall be furnished to the assisting municipality upon request.

IV. The fact that the recipient did not initially seek assistance from the municipality of most recent residence shall not be a basis to deny recovery to the assisting municipality pursuant to this section.

165:19-b – Notice to town of most recent residence.

I. In order to recover assistance from another municipality pursuant to RSA 165:19-a, the assisting municipality must provide to the welfare office in the municipality of most recent residence written notice of the name of the recipient

and the type and amount of assistance provided. Notice shall be sufficient if postmarked **72** hours of each grant of assistance for which the assisting municipality seeks recovery.

2. Amend RSA 165:1 by deleting the second sentence of paragraph 1 so that the paragraph reads as follows:

§ 165:1. Who Entitled; Local Responsibility

I. Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town, whether or not he has residence there. [~~For the purpose of this chapter the term "residence" shall have the same definition as in RSA 21:6-a~~]

3. Delete RSA 165:1-a in its entirety.

[~~§ 165:1-a. Assisted Person Defined; Local Responsibility~~

~~Any person in a town or city who is poor and unable to support himself shall be known as a town or city assisted person, and shall be relieved and maintained at the expense of the town or city of residence.~~]

4. Amend RSA 126-A:30 by adding the following new paragraph:

II. This section does not affect the obligation of a municipality to relieve and maintain non-residents who are poor and unable to support themselves pursuant to RSA 165:1 and RSA 165:1-c except that an assisting municipality may seek recovery of all assistance provided while a recipient occupies such a shelter from the municipality of most recent residence as defined in RSA 165:19-a.

5. Amend RSA 165:1-b by adding the following new paragraph:

V. Any person who has been lawfully found ineligible or suspended by a municipality pursuant to this section shall not be eligible for local welfare assistance from another municipality during the period of ineligibility or suspension; provided, however, that:

1) the municipality that has found the applicant ineligible or has suspended the recipient provides a copy of a lawful notice of ineligibility or suspension to the welfare office from which the person is currently seeking assistance; and

2) in the case of an ongoing suspension, the applicant is given an opportunity to establish before the municipality where he is seeking assistance that he has come into compliance with the guidelines that were the basis of the suspension, including the opportunity for a fair hearing.

HB1109 – Establishing a Commission to study problem related to the delivery of local assistance
Organizational Meeting, August 14, 2002
Room 301 10:00 AM

Present:

Representative Robert Brundige
Representative William Johnson
Representative Betsey Patten
Senator Jane O'Hearn
April Whittaker, NHMA
Linda Griebsch
Roy Morrison
Lance DePlante
Brian Hoffman, Community Action Association
Lisabritt Solsky, DHHS-DFA
Janet Poulin
Christine Spicher
Elliott Berry, NH Legal Assistance

MOTION: Representative Patten moved to elect Representative Brundige as Chairman. Representative Johnson seconded. MOTION CARRIED unanimously.

Representative Brundige appointed Representative Patten as Clerk for the study committee. A copy of HB 1109 – Final Version with the copy of the Committee Report was available for members and the public. Also a copy of RSA 165 will be available for members, if requested. Also a copy of a letter from Researcher Nancy LeVinus, House Committee Research, regarding UNH Agreement to conduct a "State Welfare Reform Evaluation" was available. A copy of a survey solicit ting information from welfare officials was available.

Representative Johnson gave an overview of his reasons for sponsoring HB 1109. His aim is to have state and local officials and providers work in a collaborative way to provide assistance to those in need. With a possible recession looming and the lack of affordable housing the need to coordinate public and private assistance is timely. The providers of welfare assistance do not seem to be working together and the problem is downshift from the State to the Town and then to the private organizations that are vying for available funds. He would like to strengthen the network either through a statute change or non-legislative means.

Senator O'Hearn noted that there are two other study commissions going on, established by HB 1182 (New Title) establishing a committee to study the development of home and community-based long-term supports for the elderly and adults with disabilities and SB 321 (New Title) establishing a committee to study statutory and administrative requirements regarding the legal residency of homeless children in certain educational

and institutional settings, and relative to the appeal of decisions made regarding change of school or assignment.

There was discussion about the informal policy between local welfare directors regarding the "No Dumping" situation and the fact that there is a tendency of people in need to "flock" to the large cities.

Other issues discussed were:

Mediation Process with Health and Human Services
Residency Requirements – RSA confusing or contradictory
Ethics Policy of membership with association is binding
Transient issue
Homeless shelters – number of days stayed
Emergency Shelter needs
Shelters in the southern part of State are getting used more since the rental
Housing costs have increased
What constitutes a "client"?

Next meeting is scheduled for Tuesday, September 17, 2002 at 10 AM in Room 301/LOB Presentations will be made to inform the members of what is happening currently in the field of the private/public partnerships.

Respectfully Submitted

Rep. Betsey L. Patten

SUMMARY 9-17-02

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Tuesday, September 17,2002
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Robert Brundige
Representative Betsey Patten
Representative William Johnson
Janet Poulin, Local Welfare Administrators Assoc.
Lisabritt Solsky, DHHS
Elliott Berry, NHLA
Christine Spicher, Local Welfare Administrators Assoc.
Lance DePlante, DHHS
Linda Griebsch, Coalition Against Domestic and Sexual Violence
April Whittaker, NHMA
Roy Morrison, NHCEH

Discussion and presentation by Chris Spicher of the Monadnock Partnership. Welfare in NH broken down by federal, state and municipal resources was reviewed. In MP, area social service agencies began meeting and working together to access funding and identify gaps and resources, with all services coordinated through welfare office. Rep. Johnson stated that Monadnock was "light years" ahead of other continuums of care. Laconia tried to involve welfare directors outside of Laconia and it did not work. Chris Spicher stated that Concord also tried and failed due to non-cooperation based on turf issues. Elliott Berry stated that this is a goal and very atypical.

Recommendations for HB 1109 per the presentation: local collaborative projects should be encouraged and supported at the state level; encourage/require continuum of care networks in each region—create incentives; upgrade professional requirements and require training that will include how to network and develop project partnerships. One example: make co-operation part of grant, not just competitive, as they are now.

Discussion of eviction and increased rents as largest single reason for homelessness. Lack of stock and resistance to affordable housing. Role of CDFA is small, NHHFA is larger with community non-profits and uses federal money. New construction is difficult, much more is spent rehabbing old buildings. $5 million was put into affordable housing last year. Hard to find appropriate land, zoning issues: "banana" = build absolutely nothing anywhere near anybody. Affordable housing was discussed in general and was declared beyond the scope of this study.

Welfare delivery used to be regional, by county. In 1980s local welfare came into effect. If higher in level, don't serve clients as well, can't tailor decisions to needs of clients. Municipal system was always in place, counties provided general relief to transients till 1985. 1982-85 this changed. Janet Poulin reviewed SB 1 from that period: counties and cities shared general

assistance; cities got hit hard with placement of children and agreed to take back general assistance as smallest piece of cost. It is possible to regionalize in small town areas: example is Dover-Rochester-Somersworth shelter.

NEXT MEETING
OCTOBER 16, 2002
10:00 A.M.
LOB 301

(drafted 7/15/03)

SUMMARY 11-13-02

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE
(HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Wednesday, November 13, 2002
Room 307 Legislative Office Building
10:00 AM

Present:
Representative Betsey Patten
Representative William Johnson
Senator Jane O'Hearn
Janet Poulin, Local Welfare Administrators Assoc.
Lisabritt Solsky, DHHS
Elliott Berry, NHLA
Christine Spicher, Local Welfare Administrators Assoc.
Linda Griebsch, Coalition Against Domestic and Sexual Violence
Joanne Maynard, DHHS (for Lance DePlante)
Bob Anderson, NH Council of Churches

Rep. Patten requested that Judy Silva (NHMA) and Chris Spicher and Janet Poulin present the process of reimbursement. Judy Silva stated that the statutory obligation could be clearer: who pays. The advantage of a general assistance system is balanced by the disadvantage of deciding who pays. Discussion of how welfare recovery money usually goes into the general fund and not the local welfare budget is an issue. This practice encourages a reluctance to use the system, especially when it shows as an item "over budget". Human services has federal, state and other revenue lines. Cities have line items. Municipal accounting system differs from corporate accounting; uses gross basis; all revenue and expenditures. Towns issue vouchers, like checks that client can use. Town then bills town that is responsible. Suits for recovery of cost are not worth pursuing. There are a handful of communities that consistently say "no" and choose not to recognize their responsibility. It is hard to find a legal obligation to enforce this, possible to make it a legal obligation for a sending town? Even those that honor this policy now have differing interpretations of their responsibility.

Discussion of a mediation board continued. If detailed, it loses flexibility. Need to re-affirm assistance to consumer, obligation to reimburse and transient issue. Cannot discuss reimbursement without liability. Question of unfunded mandate was raised, mandate is in law now, question is who is liable. Paramount issue is to get each welfare director to accept this responsibility. Elliott Berry agreed to put draft together for this process.

Further discussion of hours that welfare officials are available to the public. Need to be available during normal business hours and this needs to be enforced. Many don't share basic assumptions being accepted by this group and small towns need selectmen's approval to spend money.

NEXT MEETING
WEDNESDAY
DECEMBER 11, 2002
10:00 A.M.
LOB 301

(drafted 7/15/03)

SUMMARY 10-16-02

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Wednesday, October 16, 2002
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Betsey Patten
Representative William Johnson
Senator Jane O'Hearn
April Whittaker, NHMA
Roy Morrison, Coalition to end Homelessness
Brian Hoffman, Community Action
Lisabritt Solsky, DHHS-DFA
Janet Poulin, Local Welfare Administrators Assoc.
Deacon Bob Anderson, NH Council of Churches

Rep. Patten opened the meeting at 10:10 AM and informed the commission that Rep. Brundige would not be able to attend the meeting, but had asked her to discuss an outline of the commission's future work.

Mr. Hoffman handed out a flyer addressing forums on affordable housing in central New Hampshire. Rep. Johnson stated that these forums were an attempt to get business involvement in the affordable housing issue.

The members discussed the previous proposal to break down into subcommittees and it was the consensus opinion that doing so would not be in the commission's best interest. Members were specifically chosen for their expertise, which would be diluted if several subcommittees were created with only 2 members. Other commission members would not have the benefit of their colleagues' expertise in such a process. Time constraints would limit the ability of any one member to serve on multiple subcommittees. Sen. O'Hearn cited a commission that she was a part of that had done this and was not getting any work done. She suggested addressing a topic per month as a full body. This suggestion was accepted.

The members then decided to meet monthly and specifically on the 2nd or 4th Friday in the months of the legislative session, January to June.

Members then discussed the priority of issues specified in the legislation and outlined by Rep. Patten. The order of issues was decided:
I. Assistance to individuals in temporary facilities
II. Mediation and sanctioning processes for disputes between municipalities.

III. Collaboration and partnerships among various provider organizations.
IV. Qualification of local welfare adminstrators
V. Standardization of Welfare Guidelines
VI. Codification and clarification of all pertinent statutes.
VII. Recommendations for statutory and administrative changes to improve the delivery of local assistance to those in need.

Discussion ensued regarding the terms "temporary facility" and how it is defined. Rep. Johnson stated that the focus is on intent, not a time frame. The members discussed average stay in a shelter, 37 days, and up to a 90-day wait for more permanent help. Ms. Poulin stated that in the last 5 years, many changes have occurred, making "temporary" impossible to define. Ms. Solsky stated that not every town has such facilities, one town sends people to another town. Who is responsible and for how long is an issue and a standardization of guidelines could help, but mobility plays into homelessness. Mr. Anderson stated that individuals, not so much families, will naturally move on when time is limited in a shelter. Ms. Whittaker stated that #1 was the most gray for towns, many of whom bristle when non-profits want to build a shelter.

Ms. Poulin described the statutory responsibility of the sender community:

> § 126-A:30. Residency.
> Persons receiving short-term emergency housing under this subdivision shall continue to maintain their legal residence as it existed at the time of entering the emergency shelter.

She compared this to the residency statute, which is vague:

> § 21:6-a. Residence.
> Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that designated by a person as his principal place of physical presence for the indefinite future to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence or residency as the principal place of physical presence.

The issue of smaller towns "dumping" people onto larger towns was discussed. The Local Welfare Administrators Association has passed ethics-type language to prevent this practice. Local officials may be pressured to do this financially. Cities versus small towns are a reality, where services are located is a fact. Ms. Poulin stated that it is her responsibility to provide assistance first, and seek financial compensation later. Rep. Johnson stated that the residency and other statutes do not reflect today's realities. Ms. Poulin stated that for the purposes of assistance, residency is irrelevant. Sen. O'Hearn stated that trying to define residency in education issues has been very difficult.

The members then discussed the framework of the issues. Ms. Solsky stated that the lack of affordable housing was not an issue this commission could solve. She stated that she viewed assistance to individuals in temporary facilities as the lens through which the other issues listed could be examined. These issues are not distinct.

Ms. Poulin stated that to define the reimbursement issue more clearly would make the other items fall into line and equalize the town-city burden. Who is responsible and under what terms? Rep. Patten replied that this is a money issue, to define the reimbursement, not the assistance. She stated that local control was important, not to create mandates unless the state has money to offer. Rep. Johnson stated that the statutes should be clear regarding where the assistance is provided, then how. He stated that Mr. Berry had knowledge in this area.

The Local Welfare Administrators Association are working on model guidelines for NHMA, and only 1 community does not belong to NHMA. When the process is done, it will go to the chair of the association, then to a legal group for review. Most small towns followed these guidelines in the past, but that document is between 8-10 years old now. The new guidelines will consider recent legislative changes, maybe include a standardized application for assistance that is compatible with the law and software, to be available after January 1st. A model is not the same as a standard. Rep. Patten replied that it might need to be funded as a standard.

Discussion continued about qualifications of welfare administrators, as an area that could be difficult to address. Cost to hire more experienced people could be an issue. People doing this part-time and wearing multiple hats may be a thing of the past. Mr. Anderson stated that more qualified people may make collaboration easier.

Mr. Morrison stated that data collection was not consistent statewide, making collaboration difficult. Rep. Johnson stated that Monadnock was impressive for its sustained collaboration; his experiences have revolved around grant money, where the efforts diminish once the grant is awarded. Ms. Solsky stated that the Monadnock continuum is proactive, not reactive. Mr. Anderson stated that the welfare administrator was the key in that model. Ms. Poulin lamented the turnover in "players" and "rules" that inhibit sustained collaborative efforts. She didn't know if this commission can assist without some requirements, although having financial incentives helps.

There will be more discussion involving assistance to individuals in temporary facilities at the next meeting. The meeting adjourned shortly before noon.

The next meeting is scheduled for:

Wednesday, November 13, 2002 at 10:00 AM in LOB *Room 307*
(Note: this is a different room number)

NL

SUMMARY 12-11-02

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Wednesday, December 11, 2002
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Betsey Patten
Representative Nancy Johnson
April Whittaker, NHMA
Roy Morrison, Coalition to End Homelessness
Lisabritt Solsky, DHHS-DFA
Janet Poulin, Local Welfare Administrators Assoc.
Deacon Bob Anderson, NH Council of Churches
Elliott Berry, NHLA
Christine Spicher, Local Welfare Administrators Assoc.
JoAnn Maynard (for Lance DePlante), DHHS
Linda Griebsch, Coalition Against Domestic and Sexual Violence

Rep. Patten opened the meeting at 10:07 AM and welcomed Rep. Nancy Johnson to the commission.

At the last meeting of the commission, Mr. Berry had offered to draft possible changes to the statutes to help municipalities work together. Mr. Berry passed out his draft language to the members. (Line 5 of the draft should include the words "of assistance" after "30 days")

Mr. Berry stated that the draft parallels the ethics policy that local welfare administrators have been following as a "gentleman's agreement". It does not change liability or the provision of assistance on demand. It seeks to clarify under what, if any, circumstances a town may be liable for assistance actually provided by another community. The language does not rely on legal residency requirements nor does it depend on whether such individual made contact with a municipal official in the town of previous residence. It also does not establish residency for individuals residing in a shelter, as this does not now mean residency is obtained. The language utilizes lawful tenancy or lawful membership in a tenant household or owner-occupied homes as the determinative factor for liability for the first 30 days of assistance provided by another municipality, should such municipality seek compensation for services provided.

The commission members discussed the removal of any possible minimum requirement of time spent in such a household and the cross-referencing of several statutory provisions that might make the provision easier to understand at the municipal level. There was concern that this not establish residency for sheltered individuals, as this would penalize communities that have

shelters, and may discourage having one. The language also should not confuse municipal officials who may interpret this to deny aid on demand. This is strictly about liability for payment, should the providing community seek to obtain reimbursement from another town. Tenancy provision would prevent one-night stays from being considered residency. Members also discussed RSA 540-B actions against tenants, and the definitions regarding tenancy, hotels, motels and "rented for recreational use" as a bar for establishing legal tenancy. This may have to be clarified in a redraft.

Members also discussed a "look-back" provision and agreed that 6 months was the most realistic timeframe that any municipality would want to research for purposes of gaining reimbursement. As any time might be considered arbitrary to someone, this was as realistic as any other timeframe and not overly burdensome to document. It also provides a close tie to any municipal budget, such that no community gets a bill for services provided to someone who may have had legal tenancy 5 years prior. Most likely, an individual has been evicted and will need assistance within 6 months.

The decision to pursue payment will be up to the providing municipality, but not all municipalities may want to abide by this, as not all do today under the gentleman's agreement. Most towns are becoming more aware of these issues, but it is difficult to quantify if large or small towns are now or will be more likely to agree with this. Community wealth may also play a role, as do budgets. Structures for support are available in larger communities versus smaller towns, where the welfare director may be a selectman.

The origins of RSA 165 were briefly discussed, including the settlement issue and county responsibilities. Members also felt that the community seeking payment as soon as possible should send a notice to a possibly liable community. This should be part of the law and not assumed to occur.

At least 2 LSRs (Legislative Service Requests) have been filed regarding homelessness and residency. These may be premature, given the work of this commission and the sponsors may not be aware of the commission's efforts. Rep. Patten would try to find out more from the sponsors.

Mr. Berry agreed to re-work his draft to delete the day requirement for tenancy; emphasize that shelter stays do not establish legal tenancy; clarify some cross-references, including possibly eliminating a cross reference in RSA 165:1 to RSA 21-6-a, which seems contradictory for the current provision of assistance; and adding a notice provision.

Mr. Berry will try to e-mail a new draft to the membership prior to the next meeting. The members agreed that they would discuss the new draft at the next meeting of the commission:

MONDAY, JANUARY 27, 2003
10:00 A.M.
LOB 301

SUMMARY 1-27-03

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Monday, January 27, 2003
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Robert Brundige
Representative Nancy Johnson
Senator Jane O'Hearn
Senator Iris Estabrook
Roy Morrison, Coalition to End Homelessness
Lisabritt Solsky, DHHS-DFA
Janet Poulin, Local Welfare Administrators Assoc.
Deacon Bob Anderson, NH Council of Churches
Elliott Berry, NHLA
Christine Spicher, Local Welfare Administrators Assoc.
Lance DePlante, DHHS
Linda Griebsch, Coalition Against Domestic and Sexual Violence
Brian Hoffman, Community Action

Meeting in progress, 10:15 a.m.

Deacon Anderson presented a report on meetings with service providers of local assistance. General discussion ensued. The report is attached.

Chairman Brundige welcomed Senator Estabrook to the commission.

A discussion of the existing database for welfare directors began. Ms. Spicher stated that the current NHMAPS is not interactive but will be available to non-profits. The cost is $25 for members. It contains legal notices, case notes, demographics, etc, and can generate an unlimited number of reports, compared to the 30 that are now available. There is an upgrade in progress and an attempt to web-enable the program, also making it interactive. The tool is for sale, not the data in it. The hope is that it will eventually be interactive and capable of interfacing with state technology. CAP agencies have their own databases and the plan is for MAPS to interact, not necessarily with case notes, but to be able to cross reference applications for aid.

Members then replied to some of the points from Deacon Anderson's meetings, with Ms. Spicher stating that local hospitals do discharge to shelters and do reimburse churches. Mr. Hoffman stated that fuel assistance is allocated by the state, not CAPS. A discussion of insurance coverage followed. Mr. Berry stated that the Medicaid "spend-down" is fairly high, adults won't lose their health coverage by earning $7 per hour.

Ms. Spicher noted a dire need for housing at all income levels and a need to be pro-active. Mr. Berry cited a Senate bill that deals with municipal obligations for workforce housing. Mr. DePlante stated that federal HUD requires a state policy and HHS has certified that it has begun the planning process to ensure that the state responds accordingly to hospital and other institutional discharges. The policy that no person be discharged from a hospital or other institution into a state of homelessness will have a large effect. Shelters will not be able to accept anyone from a publicly funded institution, including jails and hospitals. The state must adhere to this policy or jeopardize all of its HUD dollars.

Mr. Morrison stated that the fuel assistance budget is not yet final, but should be this week. There is a reluctance to issue dollars until this is finalized. He also commented that there is a connection between education funding, affordable housing and rising welfare costs.

Concerns surrounding the building of a database include perceptions of people from the 'outside' and confidentiality issues. Ms. Spicher replied that cost is an issue for ID software for the next step in the development process. There is some illiteracy on technology and some resistance. Mr. Berry stated that double dipping is not an issue and Mr. Bates agreed, calling it a red herring. Reimbursement from other towns is a relatively minor issue, the impact is small, there is not much opportunity to double dip and officials are vigilant.

Ms. Spicher stated that the leadership of her association is more concerned that people do the right thing in the first instance, and there wouldn't be an issue of reimbursement. Possible codify mediation? The big dollars are spent on housing, prescriptions and towns that don't do what is necessary.

There was discussion of getting the state technology update. 5 towns (Dover, Keene, Portsmouth, Franklin and Lebanon) spent $25,000 to get their own system up and running and received technical support from Concord. Ms. Spicher expressed concern that the state is developing its own product with no connectivity. Senator O'Hearn asked why there is no communication with the state. The state is concerned with confidentiality and an early model for NH Healthy Kids did not do welfare work. The cost to connect was prohibitive. Ms. Poulin replied that state wants access to the local database, but no reciprocity. Locals will resist a one way street.

Mr. DePlante stated that by Sept. 2004, HMIS (Human Management Information System) will link service providers to homeless shelters. They have received some federal money, but since then, this is an unfunded mandate. They could link this to local welfare and he will look into this.

Mr. Berry explained his attempt to redraft parts of RSA 165 to more equitably share the burden, built on anti-dumping policy of local welfare administrators. This is an internal work document. For the first 30 days of assistance, the receiving municipality will be reimbursed. Ease of administration is the goal. The commission identified areas to be re-drafted:

1. If local suspension is lawful, there is not assistance required anywhere (i.e. failed to look for work). Re-eligibility can be established.

2. There was concern about the 48 hour standard notice to recover assistance; possibly change to 72; and clarify that sanctions do not apply to a person who is ill.
3. A suggestion that 6 months be measured from the time at which a person entered a shelter. Mr. Bates suggested clarity if a person is transient for more than 6 months and goes to a new town, that a shelter will not qualify him/her.

Senator O'Hearn asked about transients or those occupying a campground or evicted. Mr. Berry stated that an evicted person will have some papers, all that is needed for a town to back bill. Ms. Solsky stated that such a person would probably have court documents.

The commission agreed to meet again:

MONDAY, MARCH 3rd, 2003
AND
MONDAY MARCH 24th, 2003
10:00 A.M.
LOB 301

3/24

SUMMARY ~~2-~~03

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Monday, March 24, 2003
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Robert Brundige
Senator Jane O'Hearn
Roy Morrison, Coalition to End Homelessness
Janet Poulin, Local Welfare Administrators Assoc.
Deacon Bob Anderson, NH Council of Churches
Elliott Berry, NHLA
Christine Spicher, Local Welfare Administrators Assoc.
Lance DePlante, DHHS
Linda Griebsch, Coalition Against Domestic and Sexual Violence
Brian Hoffman, Community Action

Open 10:05 a.m.
Elliott Berry presented updated version of proposal to update RSA 165. Put bill in 22-24 April. Residency irrelevant. Leave 21:6 alone. Elliott reviewed SB 95 for committee. Discussed with committee. Senate will vote Thursday. Committee vote OTP/A 5-0.

Next meeting 4/28.

Agenda

April
Qualifications of local welfare administrators
Christine Spicher, Janet Poulin

May
Mediation and sanctioning process for disputes between municipalities.
Christine Spicher, Janet Poulin

June
Update of standardization of welfare guidelines

NEXT MEETING
MONDAY, APRIL 28, 2003
10:00 A.M.
LOB 301

SUMMARY 4-28-03

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Monday, April 28, 2003
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Robert Brundige
Senator Iris Estabrook
Janet Poulin, Local Welfare Administrators Assoc.
Lisabritt Solsky, DHHS
Elliott Berry, NHLA
Christine Spicher, Local Welfare Administrators Assoc.
Lance DePlante, DHHS
Linda Griebsch, Coalition Against Domestic and Sexual Violence
April Whittaker, NHMA

Judy Silva
Keith Bates
Nancy LeVinus

Agenda:

April
Qualifications of local welfare administrators
Christine Spicher, Janet Poulin

[In progress] 10:45 a.m.

There was discussion about New Hampshire Local Welfare Administrators Association and a possible certification program (see handout dated April 28, 2003). The question was if this can be an encouragement or are financial incentives needed? Some municipalities do not have the level of sophistication or the resources to do more comprehensive programming. Networking can save money and the association encourages people to attend conferences. They also publish a handbook. NHMA sponsors workshops and provides a legal hotline for questions from administrators to access more experienced welfare administrators. Members discussed a state grant for education and training initiatives and it was pointed out that in this budget cycle, more pressing needs were not met. Members deliberated funding a state employee to assist local new administrators. The state has no knowledge or background in this area and NHMA and NHLWAA are already capable of handling this. It might be possible to mention this need in the committee's final report; that the state recognized a need in this area and may need to help improve communications, but the roles of state and local government should not change. The mandatory attorney membership in the state bar association was mentioned as a possible model for the welfare administrators and the NHLWAA. Having such a requirement without a fee might relieve the unfunded mandate issue, but the association could not absorb the additional

responsibility without reimbursement and state mandates have a history of sounding benign and ultimately being costly. County government was mentioned as a resource for organization, but the counties are not strong and the regional welfare system has an advantage where one dominant administrator in the area can help advise others.

Mr. DePlante expressed concern about a "revolving door" under RSA 165 and asked for clarification for an individual who ends up in another community. Mr. Berry responded that the receiving community could bill a sending community for the first 30 days; thereafter an individual is the responsibility of the receiving community. Mr. Berry asked for the average length of time for an individual on welfare. Ms. Poulin and Ms. Spicher replied that it used to be 6 weeks, but is now longer. A new clientele is the result of the housing issue. Core clients are receiving assistance for 4-6 months.

Mediation and sanctioning will be the topics of the next meeting.

The committee adjourned at 11:25 a.m.

There will be no May meeting
Next meeting will be Monday June 30, 2003

Agenda:

(presume this topic originally scheduled for May)
Mediation and sanctioning process for disputes between municipalities.
Christine Spicher, Janet Poulin

NEXT MEETING
MONDAY, JUNE 30 , 2003
10:00 A.M.
LOB 301

SUMMARY 7-21-03

COMMISSION TO STUDY PROBLEMS RELATED TO DELIVERY OF LOCAL ASSISTANCE (HB1109, Chapter Law: 0184:1 Laws of 2002)

SUMMARY OF MEETING
Monday, July21, 2003
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Robert Brundige
Representative Nancy Johnson
Lisabritt Solsky, DHHS
Deacon Bob Anderson, NHCC
Roy Morrison, NHCEH
Ketih Bates, NHLWAA

Judy Silva
Nancy LeVinus
Joanne Maynard (arrived later)

Agenda:

Attached

Rep. Brundige recognized Keith Bates to review the mediation handout document from the New Hampshire Local Welfare Administrators Association, dated May 6, 2003. He identified Chris Spicher as the author, but he agreed to review it and answer questions. Mr. Bates said that the primary issue is enforceability and sanctions. He questioned if collecting money owed would be enough to satisfy municipalities. He then questioned if NHLWAA membership would be enough to constitute an agreement to obey and abide by the proposed rules and sanctions contained in this document. He stated that this would be the first instance of going beyond the informal "gentleman's agreement" in place now. Rep. Brundige asked if the intent was to incorporate this policy into RSA 165? Mr. Bates replied that it was not. Mr. Bates further stated that the intent was to incorporate this proposal into the model welfare guidelines, which are soon to be finished. Mr. Bates said incorporation could happen now or be part of an update next year. Mr. Bates stated that the entity would be more of a professional commission, not a statutory creation. Rep. Johnson described the public input involved in the statutory process versus the quicker administrative process. Rep. Johnson stated that she leaned more to a statutory process when it comes to sanctions and penalties. Mr. Bates replied that the sanctions and penalties would be seldom used, he was not sure of ramifications. Deacon Anderson asked if membership in LWAA was automatic? Mr. Bates replied that NHMA membership constitutes all but one town, but LWAA is a separate organization but has 2/3 of those as members; about 150 total. Mr. Bates further stated that those that do not belong may not see membership as needed. He said they could get welfare advice directly from NHMA without being a member of LWAA. Mr. Bates stated he was not sure if people will back off membership in LWAA if they are automatically subject to the sanctioning process. Deacon Anderson asked what would happen if

a person was not available in 4 hours? Mr. Bates replied that alternates and administration could be worked out for a timely response. Rep. Brundige asked if the situation was so serious as to need this process? Mr. Bates replied that it does come up and that the LWAA does try to push information, but some communities can be very resistant, sometimes due to the personality of the administrator. He said that it can be too difficult to work with these people and described them as "maverick towns" due to their ongoing ducking of responsibility. He stated that he would rather have something in place and not use it.

Rep. Brundige then called on Judy Silva to give her thoughts on the document. Ms. Silva stated that this would be a huge undertaking, either as administrative or statutory. She stated that she would like to see it on a pilot basis to get the bugs out. She said that ideally, any proposal should address the after-the-fact disputes between municipalities and not the immediate need. Ms. Silva stated that having an accessible system would help. She said that the 2 questions should be broken apart, with who is financially responsible to be worked out later. She expressed some concern with the identified role of NHMA. She stated that "we don't do conflicts between two of our clients". She stated that the Executive Committee of LWAA understands this and will probably not need NHMA. She also said that LWAA does provide education through formal means like workshops and informal means like networking. She said that this is strong and she wouldn't want to see their membership affected.

Mr. Bates stated that Mr. Berry's legislative proposal could help clarify administrative responsibility. Rep. Brundige was not familiar with any instance of legislation empowering a local committee; it "goes against the grain" or could be meddling. Lisabritt Solsky stated that the local welfare statutes enable DHHS to appoint a person to mediate such municipal disputes. She stated that this process may not be as quick and is underutilized, but the concept has been contemplated by statute. Rep. Brundige asked if there was a reason for this? Ms. Solsky stated that she was not aware of why it was or was not used. Rep. Brundige stated that Mr. Bates had earlier indicated that in the last 10 years, he had not seen this used. Mr. Bates replied that there was a flaw in RSA 165 in that the process is seen as voluntary to enter into mediation. Mr. Bates stated that LWAA proposal is that LWAA members shall engage in mediation, although he is not sure how this will be done. Rep. Brundige asked if [you] don't need state OK? Mr. Bates replied no, they were just looking for this commission's endorsement as part of a report. He asked if a description of this proposed committee could be included in the report and if this commission could endorse the concept.

Mr. Morrison questioned if a client is unaware of these rights, are they really rights? Mr. Bates stated that information could be made available at shelters, etc. and that advocates could utilize resources to make such information available.

Rep. Brundige stated that all information from today's meeting would be mailed directly to the members, not via e-mail. He then asked the members to review the draft final report and make comments.

Mr. Bates: bottom of p.2 needs clarification on technology, 5 towns did not receive state help. He would like to add a 5th recommendation on the bottom of page 4 pertaining to the LWAA document reviewed today.

Ms. Solsky disagrees with the bold statement on top of page 3 pertaining to state and local database sharing. She wants more clarification of technology, confidentiality and sharing of information. State would not want information from local welfare administrator; it is the other way around. Mr. Bates stated that most information comes from the state. Nancy LeVinus identified the January minutes as the source of this statement. Ms. Solsky will get more information and Rep. Brundige asked and she agreed to work with Ms. Spicher on this.

Joanne Maynard stated that the HMIS system is the Homeless Management Information System, not Human Management Information System (top of page 3). The system is required by HUD to ensure a proper count of homeless persons, not just number of times services are accessed. It is still in development stages.

Deacon Anderson: His report was on the Nashua area, not Manchester (page 1). On page 2 the first sentence under paragraph (a) should have the words 'temporary' and 'residency' in quotes, as they are terms to be defined.

Mr. Bates: In the second paragraph under (a) on page 2, last sentence, add "financially" before "liable to another town for assistance provided."

The next meeting will be Monday, September 22nd and proposed changes will be reviewed.

The issued agenda specifies that changes should be submitted to Nancy LeVinus by September 8th.

Nancy LeVinus
(603) 271-3600 (phone)
(603) 271-6689 (fax)

nancy.levinus@leg.state.nh.us

4th floor
Legislative Office Building
Concord, NH 03301

NEXT MEETING
MONDAY, SEPTEMBER 22, 2003
10:00 A.M.
LOB 301

SUMMARY 9-29-03

COMMISSION TO STUDY PROBLEMS RLEATED TO DELIVERY OF LOCAL ASSISTANCE (HN 1109, Chapter Law: 0184:1, Laws of 2002)

SUMMARY OF MEETING
Monday, September 29, 2003
Room 301 Legislative Office Building
10:00 AM

Present:

Representative Robert Brundige
Representative Betsey Patten
Representative Nancy Johnson
Deacon Robert Anderson
Linda Griebsch
Lance dePlante
Roy Morrison
Elliott Berry
Brian F. Hoffman
Janet Poulin
Keith Bates

Action:

A motion was made by Deacon Bob Anderson, seconded by Linda Griebsch, and approved to send a draft of the Final Report out to all members for comment and concurrence. When completed and all changes have been made, the Committee agreed to allow the Chairman to sign and submit the Final Report. A copy will be mailed to all members and interested parties.

Respectfully submitted,

Rep. Betsey L. Patten

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1109

BILL TITLE: **establishing a commission to study problems related to the delivery of local assistance.**

DATE: 2/5/02

LOB ROOM: 301

Amendments:

Sponsor: Rep. W. Johnson — OLS Document #: 2002-2382h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: OTP, OTP(A) ITL, Interim Study (Please circle one.)

Moved by Rep. Twombley

Seconded by Rep. W. Johnson

Vote: 12-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Twombley

Seconded by Rep. Brundige

Vote: 12-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 12-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Priscilla Lockwood, Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on {Type BILL NO.} HB 1109

BILL TITLE:

DATE: 2/5/02

LOB ROOM: 301

Amendments:

Sponsor: Rep. W. Johnson OLS Document #: 2002-2382/ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: (OTP) OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Twombley

Seconded by Rep. W. Johnson

Vote: 12-0 (Please attach record of roll call vote.)

Motions: OTP, (OTP/A), ITL, Interim Study (Please circle one.)

Moved by Rep. Twombley

Seconded by Rep. Burridge

Vote: 12-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: UNANIMOUS

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Priscilla Lockwood, Clerk

OFFICE OF THE HOUSE CLERK 2002 SESSION

MUNICIPAL AND COUNTY GOVERNMENT

Bill #: HB 1109 Title: _____

PH Date: 1/29/02 Exec Session Date: 2/5/02

Motion: OTP Amendment #: 2002-2382h

MEMBER	YEAS	NAYS
Patten. Betsey L. Chairman	12	
Brundige. Robert W. V Chairman	1	
Griffin. Marv E	2	
Akins. Ralph L	3	
Lockwood. Priscilla P. Clerk	4	
Eaton. Richard S		
Fairbanks. Chandler V		
Lachance. Douglas A		
Twomblv. James E	5	
Bovce. Laurie J	6	
Dumaine. Dudlev Daniels		
Guinta. Frank C		
Johnson. Nancv K		
Fraser. Marilvn A		
Bellavance. Paul C	7	
Coonev. Marv R	8	
Goodwin. Earle	9	
Scovner. Nancv M		
Johnson. William G	10	
Mathew Quandt	11	
TOTAL VOTE:	12	0

Printed: 12/19/2001

OFFICE OF THE HOUSE CLERK 2002 SESSION

MUNICIPAL AND COUNTY GOVERNMENT

Bill #: HB 1109 Title: _____

PH Date: 1/29/02 Exec Session Date: 2/5/02

Motion: OTP-A Amendment #: _____

MEMBER	YEAS	NAYS
Patten. Betsey L. Chairman	12	
Brundige. Robert W. V Chairman	1	
Griffin. Marv E	2	
Akins. Ralph L	3	
Lockwood. Priscilla P. Clerk	4	
Eaton. Richard S		
Fairbanks. Chandler V		
Lachance. Douglas A		
Twomblv. James E	5	
Bovce. Laurie J	6	
Dumaine. Dudlev Daniels		
Guinta. Frank C		
Johnson. Nancv K		
Fraser. Marilvn A		
Bellavance. Paul C	7	
Coonev. Marv R	8	
Goodwin. Earle	9	
Scovner. Nancv M		
Johnson. William G	10	
Quandt Matt	11	
TOTAL VOTE:	12	0

Printed: 12/19/2001

Committee Report

COMMITTEE REPORT

COMMITTEE: **Municipal and County Government**

BILL NUMBER: **hb1109**

TITLE: establishing a commission to study problems related to the delivery of local assistance.

DATE: 2/6/02 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The committee heard testimony about the need to preserve and strengthen the local assistance networks that work closely with our municipal welfare offices. These networks are coming under fiscal pressure from the recession, lack of affordable housing and homelessness. Representatives of both public and private assistance organizations unanimously testified that there is need for the study commission mandated by this bill to review existing statutes, especially RSA 165 "aid to assisted persons", procedures and relationships to insure the continued smooth flow of help to those in need on a local level.

Vote 12-0.

Rep. James E. Twombly
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Municipal and County Government

hb1109, establishing a commission to study problems related to the delivery of local assistance. **OUGHT TO PASS WITH AMENDMENT**

Rep. James E. Twombly for Municipal and County Government: The committee heard testimony about the need to preserve and strengthen the local assistance networks that work closely with our municipal welfare offices. These networks are coming under fiscal pressure from the recession, lack of affordable housing and homelessness. Representatives of both public and private assistance organizations unanimously testified that there is need for the study commission mandated by this bill to review existing statutes, especially RSA 165 "aid to assisted persons", procedures and relationships to insure the continued smooth flow of help to those in need on a local level. **Vote 12-0.**

BLURB – HB 1109

The committee heard testimony about the need to preserve and strengthen the local assistance networks that work closely with our municipal welfare offices. These networks are coming under the fiscal pressure from recession, lack of affordable housing, and homelessness. Representatives of both public and private assistance organizations unanimously testified that there is need for the study commission mandated by this bill to review existing statutes, procedures, and relationships to insure the continued smooth flow of help to those in need on a local level.

James E. Twombly

especially ~~spe~~ RSA 165 "aid to Assisted Persons,

James E. Twombly

JMP