

Rep. Markell, Rock. 18  
Rep. DeSimone, Rock. 18  
March 24, 2025  
2025-1339h  
11/09

Floor Amendment to HB 553-FN

1 Amend the bill by inserting after section 2 the following and renumbering the original sections 3-7 to  
2 read as 4-8, respectively:

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4 3 Psychological Examinations of the Child. Amend RSA 169-C:12-c to read as follows:

5 169-C:12-c Medical **and Psychological** Examinations of Child. –

6 **I.** A parent who is the subject of an abuse or neglect petition not involving sexual abuse  
7 shall be entitled to request a medical examination of each child involved by a licensed physician of  
8 the parent's choice at the parent's expense within 72 hours of the first official notice of the complaint  
9 received by the parent. Where the department has assumed protective supervision or legal custody  
10 of the child and an examination of the child is necessary to verify or refute an allegation of injury,  
11 the department shall cooperate with the request and shall transport the child to the physician's  
12 office for examination provided that the physician's office is within a reasonable distance of the  
13 district office that is conducting the abuse or neglect investigation. The transportation of a child to a  
14 physician's office that is located within the state of New Hampshire shall be presumed to be  
15 reasonable under this section.

16 **II.(a) Notwithstanding a rebuttable presumption of harm pursuant to RSA 169-**  
17 **C:12-f, no finding of emotional or psychological abuse or neglect as defined in RSA 163-C:3**  
18 **shall be made without the petitioner or the department providing a clinical assessment**  
19 **performed by a licensed mental health professional which supports the allegations**  
20 **contained in the petition and supports a finding of emotional or psychological abuse or**  
21 **neglect by clear and convincing evidence, based on the totality of the circumstances.**

22 **(b) Within 72 hours of the receipt of the official complaint by a parent who is the**  
23 **subject of the petition, the parent shall be entitled to request an independent clinical**  
24 **assessment of the child, to be performed by a licensed mental health professional of the**  
25 **parent's choice at the parent's expense, upon a showing that the assessment is needed to**  
26 **verify or refute a claim of emotional or psychological abuse or neglect.**

27 **(c) Where the department has assumed protective supervision or legal custody of**  
28 **the child, the department shall cooperate with a parent's reasonable request for an**  
29 **independent clinical assessment when it is needed to verify or refute emotional or**  
30 **psychological abuse or neglect, while ensuring the child's safety and security and retaining**  
31 **custody and control of the child until such time as the matter is resolved.**

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AMENDED ANALYSIS

This bill makes modifications to the purpose statement, definitions, and terms of rebuttable presumption of harm for abuse and neglect, as well as requires a clinical psychological assessment of a child prior to a finding of psychological or emotional abuse or neglect.