

SB 608-FN - AS AMENDED BY THE SENATE

01/29/2026 0210s

2026 SESSION

26-2173

09/08

SENATE BILL **608-FN**

AN ACT relative to family caregiver support in certain programs and child care support for kinship caregivers.

SPONSORS: Sen. Watters, Dist 4; Sen. Lang, Dist 2; Sen. Fenton, Dist 10; Sen. Avard, Dist 12; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Altschiller, Dist 24; Rep. Rice, Hills. 38; Rep. Wallner, Merr. 19

COMMITTEE: Health and Human Services

ANALYSIS

This bill directs the department of health and human services to seek approval from Centers for Medicare and Medicaid Services to cover family caregiver support services as an allowable service under specified waiver programs. The bill also eliminates the child care scholarship cost share for children in kinship care.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to family caregiver support in certain programs and child care support for kinship caregivers.

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

1 1 New Section; Long-Term Care; Family Caregiver Support. Amend RSA 151-E by inserting
2 after section 28 the following new section:

3 151-E:29 Family Caregiver Support.

4 I. The commissioner of the department of health and human services shall seek approval
5 from the Centers for Medicare and Medicaid Services (CMS) to include family caregiver support
6 services as an allowable service under the Acquired Brain Disorder (ABD) and the Choices for
7 Independence (CFI) Home and Community Based Services (HCBS) waiver programs as determined
8 under the individual service plan.

9 II. The department shall incorporate such services into the ABD and CFI HCBS programs
10 through waiver amendments or at the respective waiver renewals for ABD and CFI HCBS programs.

11 III. Family caregiver support services shall be designed to sustain the ability of caregivers to
12 provide care in the home and community. Services may include, but are not limited to, counseling,
13 education and training, peer support, caregiver assessment or other supports consistent with the
14 purposes of this section.

15 IV. The commissioner of the department of health and human services shall adopt rules
16 under RSA 541-A relative to definition, scope, eligibility criteria, provider qualifications, and service
17 limitations for family caregiver support services.

18 2 Child Care Support for Kinship Caregivers. Amend RSA 161:2, XII to read as follows:

19 XII. Social Service Programs. Develop a broad range of social and related services aimed at
20 preventing dependency and family breakdown, promoting child development and child care,
21 protecting vulnerable children and enabling them to live in their own homes or foster homes rather
22 than in institutions, assisting individuals to attain and maintain self-support and strengthen family
23 life, develop and operate social service programs within the department of health and human
24 services, receive and distribute such federal funds which are allocated specifically to the state for day
25 care for children and adults, and purchase or contract with other agencies or individuals to provide
26 direct grants from sums appropriated for such purpose to other agencies upon submission of
27 approvable plans within the objectives of this paragraph. Child care provided as a preventive or
28 protective service shall be available to grandparents who are the legal guardians or primary
29 caretakers of their grandchildren. Beginning July 1, 2021, child care providers who contract with

1 the department to provide preventive and protective child care services shall be trained in *evidence-*
2 *based* trauma-informed care *at no cost to the provider*.

3 3 New Hampshire Employment Program and Family Assistance Program; Modification of Work
4 Requirement for Purposes of Child Care Scholarship Eligibility; Retirement. Amend RSA 167:83,
5 II(q) to read as follows:

6 (q) Modification of the work requirement for the child care scholarship program to
7 include participation in an approved mental health or substance use disorder or substance misuse
8 treatment program verified by a licensed physician, an advanced practice registered nurse (APRN), a
9 licensed behavioral health professional, a licensed physician associate, a licensed alcohol and drug
10 counselor (LADC), a certified recovery support worker (CRSW), or a board-certified psychologist *and*
11 *to include retirement for any individual who has reached retirement age as defined by the*
12 *Social Security Administration*.

13 4 New Subparagraph; Child Care Scholarship Program. Amend RSA 167:83, II by inserting
14 after subparagraph (u) the following new subparagraph:

15 (v) Elimination of the child care scholarship cost share for children in kinship care.
16 There shall be no child care scholarship family cost share for any household in which all enrolled
17 children are in the care of a caretaker relative, as defined in RSA 167:78, III. If one or more enrolled
18 children in the household are not in the care of a caretaker relative, the household may be required
19 to pay a family cost share, but the household shall not be required to pay any additional cost share
20 for those children who are in the care of a caretaker relative.

21 5 Contingency. RSA 167:83, II(q), as amended by section 3 of this act, and RSA 167:83, II(v), as
22 inserted by section 4 of this act, shall take effect upon certification by the commissioner of the
23 department of health and human services to the director of the office of legislative services and
24 secretary of state that the federal Office of Child Care has approved modification of the child care
25 scholarship program as provided in sections 3 and 4 of this act.

26 6 Effective Date.

27 I. Sections 3 and 4 of this act shall take effect as provided in section 5 of this act.

28 II. The remainder of this act shall take effect upon its passage.

SB 608-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to family caregiver support in certain programs and child care support for kinship caregivers.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$310,000 general funds	\$123,000 general funds; \$113,000 federal funds	\$126,000 general funds; \$116,000 federal funds
<i>Funding Source(s)</i>	General Funds, Federal Funds			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill requires the Department of Health and Human Services to seek approval from the federal Centers for Medicare and Medicaid Services (CMS) to include family caregiver support services under the Acquired Brain Disorder (ABD) the Choices for Independence (CFI) waiver programs. In addition, the bill eliminates the child care scholarship cost share for children in kinship care. The Department states that the following components of the bill are expected to have a fiscal impact:

- The addition of family caregiver support services is anticipated to cost \$226,000 in the first year, increasing to \$232,000 in the second. The Department assumes that coverage of these services will go into effect in FY28, as time will be needed for implementation. These services will be covered with 50 percent general funds and 50 percent federal funds.
- Systems changes to the New Heights eligibility system will cost \$310,000 in FY27, and be fully generally funded.
- The requirement that cost share be eliminated for children in kinship care is expected to decrease revenue (indirectly increasing general fund costs) by \$10,000 per year.

The total general fund cost is therefore expected to be \$310,000 in FY27, \$123,000 in FY28, and \$126,000 in FY29. The federal fund cost will be \$113,000 in FY28 and \$116,000 in FY29.

For informational purposes, the Department notes the bill's inclusion of retirement as an activity that counts toward the child care scholarship work requirement could potentially run afoul of federal regulations. If so, federal funds could potentially be jeopardized. Although the likelihood and amount of any federal penalty is unknown, the total amount of the grant received through the Child Care and Development Fund is \$16 million annually.

AGENCIES CONTACTED:

Department of Health and Human Services