

Senate Children and Family Law Committee

Joshua Schauer 271-3077

SB 77-FN, providing children in delinquency and children in need of services (CHINS) cases the identical types of psychological evaluations as children in child protection matters.

Hearing Date: January 30, 2025

Time Opened: 10:15 a.m.

Time Closed: 10:30 a.m.

Members of the Committee Present: Senators Abbas, Sullivan and Long

Members of the Committee Absent : None

Bill Analysis: This bill delineates requirements for psychological evaluations of children placed for evaluation in delinquency and children in need of services proceedings.

Sponsors:

Sen. Altschiller
Sen. Rosenwald

Sen. Fenton
Rep. Manos

Sen. Prentiss
Rep. M. Pearson

Who supports the bill: Senator Altschiller, Lissa Mascio, Emily Lawrence, Lisa Wolford.

Summary of testimony presented in support:

Senator Debra Altschiller, Senate District 24

- Senator Altschiller explained that SB 77 rectifies an oversight from senate bill 417 from last year.
- Senator Altschiller said that when a child is identified as being in need of services and they have experienced some kind of trauma, they are often being administered to in multiple systems.
- She said a child could be identified as having delinquency issues and simultaneously also be the subject of child protection.
- She went on to elaborate that when children are removed from their homes by the Department of Youth and Families (DCYF) and there is an inability to place them into a family setting, the children are then sent to residential placement facilities.

- Senator Altschiller said they are entitled to quality mental health evaluations by licensed and specially trained psychologists.
- She stated that “the type of welfare proceeding services that the children are involved with should not differentiate from the type of evaluations they receive.”
- Senator Altschiller respectfully asked the committee to recommend Senate bill 77 Ought to Pass.

Lisa Wolford, Executive Director of the Children’s Family Law Center

- Director Wolford said this is a house keeping measure to ensure that children in CHINS and delinquency cases are afforded the same protections through high quality psychological evaluations that the legislature provided to children in abuse and neglect cases last session.
- She said that the nature of her work has made clear that there is very little difference amongst children in these three systems, CHINS delinquency, abuse, and neglect matters. She said that a majority of these children were raised in poverty and experienced childhood trauma.
- She explained that due to these factors, the children often demonstrate emotional and behavioral dysregulation.
- She said that the DCYF sends children in all three systems to the same residential facilities, and ensures that they benefit from the same types of evaluations.
- She gave an example of this, bringing up RSA:B 19-B, RSA:C 19-B, and RSA:D 17-B, which all have verbatim language in their statutes.
- She said that she agrees with Senator Altschiller’s suggestion that these children, often being multi-system involved, create a lack of basis for distinguishing which type of child gets the protection of qualified psychological oversight of their evaluations.
- Director Wolford brought up another point about SB 417 which states that it requires additional oversight by judges in these cases with regard to residential placement.

Lisa Mascio, Attorney, Office of the Child Advocate

- Ms. Mascio said that her and the Office of the Child Advocate strongly support SB 77. She gave some background of SB 417 from last year.
- She stated that the issue was with evaluations being completed by professionals that did not have the higher levels of qualifications that were necessary. She worked closely with associates, Dr. Yackley, to define specifically what those qualifications should be and added those necessary qualifications into the language of SB 417.

- She explained that other parts of SB 417 were to go into 169-F, which is overarching, and covers B, C, and D. Unfortunately, they were not able to do that.
- Ms. Mascio said that there were conversations with Senator Whitely and other sponsors about ensuring that the bill covered kids in the justice system and CHINS but unfortunately that has not happened.
- She stated that she agrees with Senator Altschiller and Attorney Wolford that these children who are often across systems, and involved in all three statutes, would benefit greatly from overarching consistency.
- Ms. Mascio provided written testimony from Dr. Yackley on why this section is important to SB 417.

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Date Hearing Report completed: February 6, 2025