

Senate Executive Departments and Administration Committee

Kevin Condict 271-7875

HB 634, repealing the New Hampshire council on autism spectrum disorders.

Hearing Date: April 16, 2025

Time Opened: 9:42 a.m.

Time Closed: 10:14 a.m.

Members of the Committee Present: Senators Pearl, McGough, Gannon, Altschiller and Reardon

Members of the Committee Absent : None

Bill Analysis: This bill repeals the New Hampshire council on autism spectrum disorders.

Sponsors:

Rep. Stringham

Rep. Edwards

Who supports the bill: Moira Ryan, Thomas Ryan, Kate Shea, and Patrice Benard.

Who opposes the bill: Rep. Jerry Stringham (Grafton 3), Amy Rheaume, Dr. Louis Esposito (Able NH), Isadora Rodriguez-Legendre (NHAC), Marissa Berg (NHAC), Kathryn Gleenslade, Jane Bergeron (NHASEA), Amy Frechette, Debbie Robinson, Marianne Gordineer, Wynne Graves-Moody, Owen Bastille, Brittany MacFarland, and Katherine Elkins.

Who is neutral on the bill: None.

Summary of testimony presented:

Representative Jerry Stringham, Grafton 3

- Rep. Stringham introduced House Bill 634.
- Rep. Stringham explained that this bill was written as a bipartisan housekeeping bill to reinvigorate the New Hampshire Council on Autism Spectrum Disorders. He said the organization had largely stopped functioning during the pandemic, and they have run into some problems with restarting.
- Rep. Stringham stated that the Council has no cost to the taxpayer. He said it consists of forty members who accumulate information about autism spectrum disorders, provide educational resources, and advice to those with autism.

- Rep. Stringham explained that the original bill more tightly defined the purpose of the commission and made it more realistic for a volunteer commission to achieve. It allowed remote participation for those with disabilities, which was one of the reasons they were having trouble obtaining a quorum. The original bill also expanded the membership by two members and alters the nominating process for members to avoid vacancies. He explained that at the time this bill was filed there were seven openings on the Council, five of which were nominations by the governor.
- Rep. Stringham explained that the Council had tried to meet several times in the past year but with so many openings they had not achieved a quorum. He stated that since this bill was introduced, the Council had met and been able to achieve a quorum.
- Rep. Stringham noted that one individual provided written testimony stating that the work of the Council could be performed by the Developmental Services Quality Council (DSQC). He said that the view of the sponsors was that many people with autism spectrum disorders do not meet the legal definition for disability, so those people would not be represented.
- Sen. Pearl asked if there is an amendment that Rep. Stringham would like the Committee to consider.
 - o Rep. Stringham explained that the House amended this bill to repeal the New Hampshire Council on Autism Spectrum Disorders. He stated his belief that the DSQC would not address the same needs. He asked the Committee to amend the bill back to its original version. He noted that the Council has begun meeting with a quorum again. He suggested killing the bill or laying it on the table if not amended. He said he would provide the Committee with language.
- Sen. Pearl said that Sen. Reardon would work with him on that language.

Amy Rheume

- Ms. Rheume said that she would like the bill to be amended back to the original language.
- Ms. Rheume explained that she has an autistic son. She asked that the Committee think of someone in their lives who has autism.
- Ms. Rheume explained that when her son was born in 2005, the autism rate was one in one hundred and twenty-five. When her son was diagnosed in 2009, the rate was one in sixty-eight, and that rate is currently one in twenty-six.
- According to the National Council for Severe Autism, one in four children has profound or severe autism.
- Ms. Rheume said that she started attending Council meetings from 2017 to 2019. At the time meetings were quarterly and they were held in person, but people could dial in. She said she started attending with the hopes that she could join the Council. She said the only way to join the Council at the time was to be nominated by the governor to fill a vacant seat.

- Ms. Rheume noted that the Council's meetings ended when the pandemic occurred. She explained that she tried to contact previous Council members during the pandemic because she needed resources for her family.
- Ms. Rheume stated that a repeal of the Council would be detrimental to the progress that has been recently made. She said that part of the progress has been finding those who had previously held positions.
- Ms. Rheume said there are many in the state with great resources and knowledge, but people are looking for a place for that information to funnel through. She explained that in her position as a school district employee she meets many families that ask about resources.
- Ms. Rheume reminded the Committee that the Council provides leadership on training, policy, data collection, coordination, and support and services for individuals with autism spectrum disorder (ASD). She said they collaborate with groups and organizations that focus on quality services, make recommendations on best practice, and provide an online listing of resources.
- Sen. Altschiller noted the high volume of communications on received by the Committee regarding this bill. She asked Ms. Rheume if she was a member at the time when she attended pre-pandemic meetings.
 - o Ms. Rheume said that she was not.
- Sen. Altschiller asked if the meetings were well attended. She noted that half of the membership plus one was required for a quorum. She asked Ms. Rheume if she experienced the Council not being able to meet quorum while attending the meetings.
 - o Ms. Rheume said that she usually saw about twelve to fifteen members in attendance and people dialing in.

Dr. Louis Esposito, Able NH

- Dr. Esposito explained that he is a former special education teacher and is the current Executive Director of Able NH. He has a son with autism.
- Dr. Esposito stated his opposition to the amended version of the bill. He said the original bill was thoughtful and necessary effort to modernize the New Hampshire on Autism Spectrum Disorders.
- Dr. Esposito clarified that he is not on the Council.
- Dr. Esposito voiced concern that this proposed merger overlooks a critical and growing segment of the autism population. Increasingly in New Hampshire and across all age levels individuals are being diagnosed with autism in ways that do not meet the eligibility criteria for traditional developmental services in schools and adult services.
- Dr. Esposito noted that he had done a case study on autistic students in higher education nearing graduation. That case study highlighted the vital importance of centering and amplifying autistic voices in shaping the systems and support

that affect their lives. He said the Council is an amazing outlet for those voices to be heard.

- Dr. Esposito said that his son is in fourth grade and has received glowing reports from his teachers during every year he has attended public school. He explained that his son does not qualify under the Individuals with Disabilities Education Act (IDEA) for special education services because he does not need specialized services to achieve academically. However, autism does affect him socially with his peers and in sensory challenges he faces everywhere he goes. He explained that his son has a 504 plan for accommodations that allow him to be more successful.
- Dr. Esposito said that there are many others like his son that might not qualify for or need services. He said the Council is an outlet for people like him.
- Dr. Esposito stated that the original bill aimed to increase membership for people like his son. He said that repealing the Council seems short-sighted. He said the Council does good work and has a lot of momentum and a group of people that want them to get going again. He said it is a grassroots movement to help make significant changes for the autism community of the state.
- Dr. Esposito urged the Committee to adopt an amendment that brings back the original bill.
- Sen. Altschiller asked if the meetings are well attended enough to achieve a quorum and act.
 - o Dr. Esposito said that the last meeting was. He said people make connections at meetings. He explained that the original bill attempted to create online capabilities to accommodate the many people who could not drive to attend. He noted that he could not leave his son home alone to attend a meeting.
- Sen. Altschiller noted that many of the people participating in the Council are family members. She asked if it would be helpful to add remote participation to the original bill.
 - o Dr. Esposito said it would be helpful. He said it would help create a truly statewide Council.

Isadora Rodriguez-Legendre, New Hampshire Autism Council

- Ms. Rodriguez-Legendre explained that she serves as the Executive Director at the New Hampshire Council on Developmental Disabilities. She explained that due to her position she holds a seat on both the New Hampshire Autism Spectrum Disorder Council and the New Hampshire DSQC. She stated her belief that it is important to have both councils in place.
- Ms. Rodriguez-Legendre stated her opposition to the House amendment.

- Ms. Rodriguez-Legendre said that the original bill would help stop the Council's quorum issues, especially if the remote participation part was included.
- Ms. Rodriguez-Legendre explained that one of the pieces of written testimony she submitted was from a woman who would like to be a member of the Council but has been unable to become one due to the nomination process. She explained that the woman was diagnosed with autism at age twelve but did not receive special services until she was forty-eight. She said it is important to have an autism specific council because people with ASD do not always qualify for support and services.
- Sen. Altschiller asked about the quorum requirements. She asked for confirmation that the bill would make the Council have twenty-five members, with a requirement that eight members would have to be in the room.
 - o Ms. Rodriguez-Legendre said it would require half of the membership plus one, including remote participation.
- Sen. Altschiller said that one-third of the Council in the room seems arbitrary, especially considering the challenges of this group of people. She asked about that requirement. She asked if it would make sense for the Council to have more flexibility.
 - o Ms. Rodriguez-Legendre said that would make sense. She said the Council is subject to 91-A requirements. She pointed out that there were several individuals at the last meeting who made the meeting, but many were unable to be in the room. She said there are local agencies that should be able to hold those meetings. She said that depending on the leadership of the Council, there may be conflicting priorities. She said they want a family member with experience in leadership. She said those people sometimes cannot juggle everything that is on their plate. She said that it became more of a challenge during the pandemic because there was no administrative support.

Marissa Berg, New Hampshire Autism Council

- Ms. Berg explained that she is the Interim Chair of the Council.
- Ms. Berg stated her opposition to the House amendment. She called it a significant change from the original bill.
- Ms. Berg said it is important that the Committee hear how important the Council is to the families. She noted that one in thirty-one children are diagnosed with autism. She said the Council exists to support people.
- Ms. Berg said that not all people with autism have an intellectual disability that qualifies them for the Medicaid waiver. She said it does not make sense to merge the Council with the DSQC.

- Ms. Berg explained that the Council hosted listening sessions in November to hear from interested members of the public. She said the Council meets monthly. She said that the March meeting was the first with a full quorum. She noted that there are eight vacancies, seven of which are governor appointments.
- Ms. Berg echoed the sentiment that the Council is a grassroots organization.
- Ms. Berg explained that even though the Council has not met a quorum, they have had several meetings with thirty-plus members of the public.
- Ms. Berg said that repealing the council would eliminate a forum for advocacy.
- Sen. Altschiller asked if the fifty-percent statistic cited was from New Hampshire.
 - o Ms. Berg said she is also the Executive Director of Community Support Network. She said that over fifty percent of applicants to services have autism.

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Date Hearing Report completed: April 22, 2025