HB 200 - AS AMENDED BY THE HOUSE

14Feb2023... 0010h

2023 SESSION

23-0471
06/04

HOUSE BILL ***200***

AN ACT relative to choice of counselor to evaluate a child in family court proceedings.

SPONSORS: Rep. Nutter-Upham, Hills. 8; Rep. O. Ford, Rock. 3; Rep. Merchant, Sull. 6; Rep. Bernardy, Rock. 36; Rep. Terry, Belk. 7; Rep. Stapleton, Sull. 6; Rep. Vose, Rock. 5; Rep. Cannon, Straf. 12; Rep. McMahon, Rock. 17; Sen. Avard, Dist 12

COMMITTEE: Children and Family Law

ANALYSIS

This bill allows for parents to choose their counselor for counseling that is part of the parenting plan issued in a court order, as well as in any other counseling used in family court to evaluate a child. This bill also requires courts to select counselors that are participating providers in the parties' insurance networks.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to choice of counselor to evaluate a child in family court proceedings.

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

1 Parental Rights and Responsibilities; Parenting Plans; Contents; Establishing Right to Choice of Counselor. Amend RSA 461-A:4, III to read as follows:

III. ***If the parenting plan directs a child of the parties to participate in counseling, the parents shall have the right to choose the counselor. In cases where the parties are unable to agree on a counselor or in the event that a finding of abuse has been made, the court shall choose a participating provider in the parties' health insurance carrier network.***

2 New Section; Judicial Branch Family Division; Counseling. Amend RSA 490-D by inserting after section 15 the following new section:

490-D:16 Counseling. In the event that a court proceeding under this chapter requires a child to be evaluated by a mental health practitioner, the parents of the child shall have the right to choose the practitioner. In cases where the parties are unable to agree on a practitioner or in the event that a finding of abuse has been made, the court shall choose a participating provider in the parties' health insurance carrier networks.

3 Effective Date. This act shall take effect January 1, 2024.