SB 63 - AS AMENDED BY THE SENATE

01/03/2018 2532s
02/01/2018 0260s

2017 SESSION

17-0828
05/04

SENATE BILL ***63***

AN ACT relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

SPONSORS: Sen. Carson, Dist 14; Sen. Bradley, Dist 3; Sen. Fuller Clark, Dist 21; Rep. Weber, Ches. 1; Rep. Guthrie, Rock. 13; Rep. Berrien, Rock. 18

COMMITTEE: Health and Human Services

AMENDED ANALYSIS

This bill revises the record retention requirements for founded, unfounded, and screened-out reports of abuse or neglect; establishes a pilot program regarding electronic storage of abuse and neglect records; and establishes certain classified positions within the department of health and human services.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 63 - AS AMENDED BY THE SENATE

01/03/2018 2532s
02/01/2018 0260s

17-0828
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

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

1 New Paragraph; Child Protection Act; Definition of Screened-Out Report. Amend RSA 169-C:3 by inserting after paragraph XXVII-a the following new paragraph:

XXVII-b. "Screened-out report" means a report made pursuant to this chapter that the department has determined does not rise to the level of a credible report of abuse or neglect and is not referred for assessment.

2 Child Protection Act; Records Management of Abuse and Neglect Reports. RSA 169-C:35-a is repealed and reenacted to read as follows:

169-C:35-a Records Management of Abuse and Neglect Reports.

I. The department shall retain a screened-out report for 7 years from the date that the report was screened out. If during the 7-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain information from the prior and subsequent reports for an additional 7 years from the date a subsequent report is screened out, an additional 10 years from the date a subsequent report is deemed unfounded, and indefinitely if the subsequent report is deemed founded. The department shall delete or destroy all electronic and paper records of the reports when the retention period for the most recent report expires.

II. The department shall retain an unfounded report for 10 years from the date that the department determined the case to be unfounded. If during the 10-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain the information from the prior and subsequent reports for an additional 10 years from the date the subsequent report is screened out or deemed unfounded, or indefinitely if the subsequent report is deemed founded. The department shall delete or destroy all electronic and paper records of the reports when the most recent report expires.

III. The department shall retain a founded report indefinitely.

IV. Nothing in this section shall prevent the department from retaining generic, non-identifying information which is required for state and federal reporting and management purposes.

3 Child Protection Act; Records Management of Abuse and Neglect Reports; Pilot Program

Established. There is hereby established a pilot program to assess the cost and feasibility of the statewide electronic storage of abuse and neglect records as required by RSA 169-C:35-a. Under the pilot program, the department of health and human services shall scan and store electronic copies of its records of screened-out, closed unfounded, and closed founded reports from a selected district office or offices. On or before November 1, 2018, the department shall provide a report to the house and senate committees with jurisdiction over health and human services and the house and senate finance committees containing its assessment of the pilot program and the projected costs and feasibility of expanding the program statewide.

4 Department of Health and Human Services; Division for Children, Youth and Families; Classified Positions Established. The following classified positions are hereby established in the department of health and human services, division for children, youth, and families:

I. Program assistant I, at labor grade 12

II. Program assistant I, at labor grade 12

5 Department of Health and Human Services; Division for Children, Youth and Families; Classified Positions Established. Subject to approval by the fiscal committee of the general court, the following classified positions are hereby established in the department of health and human services, division for children, youth and families:

I. Program assistant I, at labor grade 12

II. Program assistant I, at labor grade 12

6 Effective Date.

I. Section 5 of this act shall take effect January 1, 2019.

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

LBAO
17-0828
Amended 2/5/18

SB 63- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2018-0260s)

AN ACT relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$23,910	$156,011	$156,011	$156,011
Funding Source:	[X] General Federal Funds	[ ] Education	[ ] Highway	[X] Other -

METHODOLOGY:

This bill establishes a pilot program to assess the cost and feasibility of the statewide electronic storage of abuse and neglect records, and establishes two positions in FY18 for the purpose of implementing the program. The bill also allows the Department, with Fiscal Committee approval, to establish an additional two positions on or after January 1, 2019. The Department states the total cost of the initial two positions are as follows, with general funds accounting for 62% of costs, and federal funds accounting for the remaining 38%:

	FY 2018	**FY 2019**	**FY 2020**	**FY 2021**
Federal Funds	$ 9,086	$ 59,284	$ 59,284	$ 59,284
State General Funds	$ 14,824	$ 96,727	$ 96,727	$ 96,727
Total:	$ 23,910	$ 156,011	$ 156,011	$ 156,011

AGENCIES CONTACTED:

Department of Health and Human Services