

Floor Amendment to SB 416-FN

1 Amend the bill by replacing section 2 with the following:

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3 2 New Paragraph; Services for Children, Youth and Families; Assessment, Treatment, and
4 Discharge Planning; Requirement for Evidence-Based Functional Behavioral Assessments and
5 Plans. Amend RSA 170-G:4-e by inserting after paragraph IV the following new paragraph:

6 IV-a. The assessment of behavioral health and other treatment needs of a child at risk of
7 residential treatment either through RSA 169-B, 169-C, 169-D, or RSA 135-F, the system of care for
8 children's mental health due to problem behavior, shall include an evidence-based functional
9 behavioral assessment and a behavioral intervention plan, if clinically indicated. If the child's school
10 district has no responsibility under IDEA to complete a functional behavioral assessment and it is
11 not related to the child's educational needs, the department shall obtain a functional behavioral
12 assessment. If a functional behavioral assessment cannot be completed prior to entry into
13 residential treatment, the department shall ensure that an assessment is initiated within 30 days of
14 that entry. The functional behavioral assessment shall be conducted by individuals qualified to
15 perform the assessment, which may include, but is not limited to, a board certified behavior analyst
16 or psychologist. The assessment shall include, but not be limited to, a file review, at least 2 hours of
17 observation in a natural or clinical setting, and a final written report, which shall include specific
18 recommendations to include within a positive behavior intervention plan.

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20 Amend the bill by replacing section 4 with the following:

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22 4 Effective Date. This act shall take effect January 1, 2024.

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AMENDED ANALYSIS

This bill requires children's behavioral health assessments to include a functional behavioral assessment, and a behavioral intervention plan if clinically indicated, prior to the placement decision.