

Amendment to SB 161

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT making technical corrections to statutes governing out-of-state placements for
4 children.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Child Protection Act; Presumption in Favor of In-State Placements; License; Controlling State.

9 Amend RSA 169-C:19-b to read as follows:

10 169-C:19-b Presumption in Favor of In-State Placements. There shall be a presumption that an
11 in-state placement is the least restrictive and most appropriate placement. The court may order an
12 out-of-state placement only upon an express written finding that no options for in-state placement
13 exist and the out-of-state placement offers specialized programming or services that are unable to be
14 provided within New Hampshire, and the placement is ~~[contracted with the state]~~ **licensed in**
15 **accordance with the laws of the state in which they operate and certified by the**
16 **department.** Preference shall be given to out-of-state placements that are in proximity to the
17 child's family and/or kin, who are able to participate in family and/or reunification services. Any
18 out-of-state placements shall be limited in time and require both increased judicial oversight and the
19 written approval of the director of the division for children, youth and families, **or designee, for**
20 **placements outside of New England.**

21 2 Order of Preference; Controlling Law. Amend RSA 169-F:5 to read as follows:

22 169-F:5 Presumption in Favor of In-State Placements. There shall be a presumption that an in-
23 state placement is the least restrictive and most appropriate placement. The court may order an
24 out-of-state placement only upon an express written finding that no in-state options exist and that
25 the out-of-state placement offers specialized programming or services that are unable to be provided
26 within New Hampshire, and the placement is ~~[contracted with the state]~~ **licensed in accordance**
27 **with the laws of the state in which they operate, and certified by the department.** Preference
28 shall be given to out-of-state placements that are in proximity to the child's family and/or kin, who
29 are able to participate in family and/or reunification services. Any out-of-state placements shall be
30 limited in time and require both increased judicial oversight and the written approval of the director
31 of the division for children, youth and families, **or designee, for placements outside of New**
32 **England.**

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1 3 Oversight; Department Responsibilities. Amend RSA 169-F:7, II to read as follows:

2 II. The department shall develop, in consultation with the office of child advocate, a
3 standard operating procedure and form for monthly visits with children conducted by the
4 department, pursuant to ~~[RSA 169-F:5, I]~~ ***paragraph I of this section***, to be completed during each
5 monthly in-person visit.

6 4 Effective Date. This act shall take effect January 1, 2026.

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AMENDED ANALYSIS

This bill requires out-of-state placements for children to be licensed in the accordance with the laws of the state in which they operate and be certified by the department of health and human services. This bill replaces references to placements for children "contracted" with the department of health and human services with placements "certified" by the department.