

Amendment to SB 161

1 Amend the bill by replacing sections 1 and 2 with the following:

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3 1 Child Protection Act; Presumption in Favor of In-State Placements; License; Controlling State.

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

5 169-C:19-b Presumption in Favor of In-State Placements. There shall be a presumption that an  
6 in-state placement is the least restrictive and most appropriate placement. The court may order an  
7 out-of-state placement only upon an express written finding that no options for in-state placement  
8 exist and the out-of-state placement offers specialized programming or services that are unable to be  
9 provided within New Hampshire, and the placement is ~~[contracted with the state]~~ **licensed in**  
10 **accordance with the laws of the state in which they operate and certified by the**  
11 **department.** Preference shall be given to out-of-state placements that are in proximity to the  
12 child's family and/or kin, who are able to participate in family and/or reunification services. Any  
13 out-of-state placements shall be limited in time and require ~~[both]~~ increased judicial oversight, and  
14 the written approval of the director of the division for children, youth and families, **or designee, for**  
15 **placements outside of New England.**

16 2 Order of Preference; Controlling Law. Amend RSA 169-F:5 to read as follows:

17 169-F:5 Presumption in Favor of In-State Placements. There shall be a presumption that an in-  
18 state placement is the least restrictive and most appropriate placement. The court may order an  
19 out-of-state placement only upon an express written finding that no in-state options exist and that  
20 the out-of-state placement offers specialized programming or services that are unable to be provided  
21 within New Hampshire, and the placement is ~~[contracted with the state]~~ **licensed in accordance**  
22 **with the laws of the state in which they operate, and certified by the department.** Preference  
23 shall be given to out-of-state placements that are in proximity to the child's family and/or kin, who  
24 are able to participate in family and/or reunification services. Any out-of-state placements shall be  
25 limited in time, and require ~~[both]~~ increased judicial oversight, and the written approval of the  
26 director of the division for children, youth and families, **or designee, for placements outside of**  
27 **New England.**