

SB 670-FN-A - AS INTRODUCED

2026 SESSION

26-3258

05/07

SENATE BILL

670-FN-A

AN ACT establishing a developmental services oversight commission; relative to membership and duties of the incapacitated and vulnerable adult fatality review committee; relative to reporting requirements regarding the death of a child in residential care; and relative to the registry of founded reports of abuse, neglect, or exploitation of vulnerable adults.

SPONSORS: Sen. Rochefort, Dist 1; Sen. Pearl, Dist 17; Sen. Ward, Dist 8; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Gannon, Dist 23; Sen. Carson, Dist 14; Sen. McGough, Dist 11; Sen. Birdsell, Dist 19

COMMITTEE: Health and Human Services

ANALYSIS

This bill establishes a developmental services oversight commission, revises membership and duties of the incapacitated and vulnerable adult fatality review committee, revises reporting and investigation requirements regarding reports of abuse of vulnerable adults, and revises notification and reporting requirements regarding abuse of minors in institutional residential settings.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT establishing a developmental services oversight commission; relative to membership and duties of the incapacitated and vulnerable adult fatality review committee; relative to reporting requirements regarding the death of a child in residential care; and relative to the registry of founded reports of abuse, neglect, or exploitation of vulnerable adults.

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

1 1 New Subdivision; Developmental Services Oversight Commission. Amend RSA 171-A by
2 inserting after section 34 the following new subdivision:

3 Developmental Services Oversight Commission

4 171-A:35 Developmental Services Oversight Commission.

5 I. There is established the developmental services oversight commission to continuously and
6 effectively assure the health and welfare of participants receiving home and community based
7 1915(c) waiver services within the developmental services system. The commission is tasked with
8 reviewing data submitted by the department of health and human services related to health and
9 safety to make recommendations to improve outcomes for individuals receiving developmental
10 services.

11 II. Legislative members of the commission shall serve a term coterminous with their term in
12 office.

13 III. All public members shall serve 3-year terms. Notwithstanding RSA 14:49, II(c), the
14 members of the commission shall be as follows:

15 (a) Two members of the senate, appointed by president of the senate.

16 (b) Two members of the house of representatives, appointed by speaker of the house of
17 representatives.

18 (c) The director of the division of long term supports and services, or designee.

19 (d) The bureau chief of the bureau of developmental services, or designee.

20 (e) The administrator of adult protective services, or designee.

21 (f) An administrator with the department of health and human services, certification
22 and licensing bureau.

23 (g) A representative of the department of health and human services, division of
24 program quality and integrity.

25 (h) One member representing the area agency system, appointed by Community Support
26 Network, Inc. (CSNI).

27 (i) Three members representing the private providers, appointed by the governor.

28 (j) The executive director of the governor's commission on disability.

1 (k) One representative of the Disability Rights Center (DRC), appointed by that
2 organization.

3 (l) Two parents of individuals receiving services from the developmental services system,
4 appointed by the governor.

5 (m) Two individuals receiving services from the developmental services system,
6 appointed by the governor.

7 IV. The commission shall provide recommendations to strengthen health and safety
8 outcomes in developmental services system. At a minimum, the commission shall:

9 (a) Identify areas of best practice and provide recommendations related to improvements
10 to the health and safety of individuals served.

11 (b) Review quarterly satisfaction surveys conducted by service coordinators for
12 individuals receiving services through the developmental disabilities (DD), in-home supports (IHS),
13 and acquired brain disorder (ABD) 1915(c) home and community-based services waivers and provide
14 recommendations for quality improvement to the department.

15 (c) Review training requirements in policy and administrative rule and make
16 recommendations for additional or modified training.

17 (d) Review available department of health and human services licensing and
18 certification data.

19 (e) Review the DD, IHS, and ABD 1915 (c) waivers' performance measures as presented
20 by the department to the center for medicare and medicaid services and provide recommendations to
21 the department regarding improving the care based on the performance measures.

22 (f) Provide feedback on proposed changes to state administrative rules and laws.

23 V. The commission shall elect a chairperson from among the members. The first meeting of
24 the oversight commission shall be called by the first-named senate member. The first meeting of the
25 commission shall be held within 45 days of the effective date of this section. Eleven members of the
26 commission shall constitute a quorum.

27 VI. Following each meeting, commission members will identify items appropriate for further
28 action and determine when those items can be brought back to the commission.

29 VII. The department shall provide consultative and administrative support to the
30 commission.

31 VIII. Beginning November 1, 2026, and annually thereafter, the commission shall provide a
32 report of its findings and recommendations to the president of the senate, the speaker of the house of
33 representatives, the oversight committee on health and human services established in RSA 126-
34 A:13, the governor's office, and the commissioner of health and human services.

35 IX. The meetings shall be open to the public and subject to the provisions of RSA 91-A.

36 2 Position Established; Appropriation.

I. The classified position 21-1090 MISC SOC SVC SPECS-6 is established in the department of health and human services to support the developmental services oversight commission established in section 1 of this act.

II. The sum of \$52,000 for the biennium ending June 30, 2027, which shall not lapse until June 30, 2027, is hereby appropriated to the department of health and human services for the purpose of funding the position established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

3 Incapacitated and Vulnerable Adult Fatality Review Committee. Amend RSA 21-M:16 to read as follows:

21-M:16 Incapacitated and Vulnerable Adult Fatality Review Committee Established.

I. There is hereby established the incapacitated and vulnerable adult fatality review committee (committee) which shall be administratively attached, under RSA 21-G:10, to the department of justice.

II. The attorney general shall appoint members and alternate members to the committee. ~~[The members of the committee shall include individuals representing the health care field, organizations with expertise in services provided to incapacitated and vulnerable adults, law enforcement, organizations or individuals who advocate for or provide legal representation for incapacitated and vulnerable adults, and such other members as the attorney general determines will assist the committee in fulfilling its objectives.]~~ The terms of the members shall be 3 years; provided, that the initial members shall be appointed to staggered terms. Members shall serve at the pleasure of the attorney general. ***The committee shall consist of the following members:***

(a) The attorney general, or designee.

(b) The chief medical examiner, or designee.

(c) The director of the bureau of developmental services, department of health and human services, or designee.

(d) The director of the division for behavioral health, department of health and human services, or designee.

(e) The director of the bureau of elderly and adult services, department of health and human services, or designee.

(f) The director of adult protective services, department of health and human services, or designee.

(g) The manager of the health facilities licensing administration of the department of health and human services, or designee.

(h) The commissioner of the department of safety, or designee.

1 *(i) A licensed medical provider who is knowledgeable concerning the needs of*
2 *incapacitated and vulnerable adults.*

3 *(j) A licensed mental health provider who is knowledgeable concerning the*
4 *needs of incapacitated and vulnerable adults.*

5 *(k) Two members of law enforcement, one representing a rural jurisdiction and*
6 *one an urban jurisdiction.*

7 *(l) A representative of the state's federal protection and advocacy agency,*
8 *selected by that agency's executive director.*

9 *(m) A representative of the state's council on developmental disabilities,*
10 *selected by that agency's executive director.*

11 *(n) The long-term care ombudsman, or designee.*

12 *(o) The director of the department of military and veterans affairs.*

13 *(p) A representative from the New Hampshire Coalition Against Domestic and*
14 *Sexual Violence, a domestic violence crisis center, or another domestic violence advocacy*
15 *organization.*

16 *(q) Such other members as the attorney general determines will assist the*
17 *committee in fulfilling its objectives.*

18 III. The committee shall:

19 (a) Recommend policies, practices, and services that will promote collaboration among
20 service providers for, and reduce preventable fatalities among, incapacitated and vulnerable adults.

21 (b) Evaluate policies, practices, interventions and responses to fatalities among
22 incapacitated and vulnerable adults and offer recommendations for any improvements in those
23 interventions and responses.

24 (c) Determine and report on trends and patterns of incapacitated and vulnerable adult
25 deaths in New Hampshire.

26 (d) Evaluate and report on high risk factors, current practices, gaps in systematic
27 responses, and barriers to safety and well-being for incapacitated and vulnerable adults in New
28 Hampshire.

29 (e) Educate the public, policy makers, and budget authorities about fatalities involving
30 covered incapacitated and vulnerable adults.

31 (f) Recommend improvements in the sources of data relative to preventing fatalities
32 among incapacitated and vulnerable adults.

33 (g) Identify and evaluate the prevalence of risk factors for preventable deaths in the
34 population of incapacitated and vulnerable adults.

35 IV. For the purposes of this section, "incapacitated adult" means:

36 (a) Adults who are clients of the area agency system pursuant to RSA 171-A or RSA 137-
37 K at the time of the person's death or within one year of the person's death.

SB 670-FN-A - AS INTRODUCED
- Page 5 -

1 (b) Adults who are patients at the New Hampshire hospital or any other designated
2 receiving facility or whose death occurs within 90 days following discharge, who are on conditional
3 discharge, or who are applicants for or clients of the community mental health center system under
4 RSA 135-C:13 and RSA 135-C:14 at the time of death or within one year of death.

5 (c) Adults who are receiving services pursuant to RSA 161-E and RSA 161-I.

6 (d) Adults who are participants in programs or residents of facilities specified in RSA
7 151:2, I(a), (b), (d), (e), or paragraph IV-a, or RSA 161-J, or within 90 days of discharge from such a
8 facility.

9 (e) Adults who were in need of any of the services defined in subparagraphs (a)-(d) and
10 paragraph IV-a at the time of their death.

11 IV-a. For the purposes of this section, "vulnerable adult" means an adult who was the
12 reported victim of abuse, neglect, self-neglect, or exploitation which was reported to the department
13 of health and human services pursuant to RSA 161-F:46, where the report was determined to be
14 unfounded and was filed within 6 months prior to death, where the report was determined to be
15 founded and was filed within 3 years prior to death, or where the report was pending at the time of
16 death.

17 ***IV-b. For the purposes of this section, a "preventable death" is one in which a***
18 ***reasonable intervention, based on the conditions, circumstances, or resources available at***
19 ***the time, might have prevented the death. These reasonable interventions may be medical,***
20 ***educational, social, legal, or psychological in nature.***

21 ***IV-c. The office of the chief medical examiner, the bureau of adult and aging***
22 ***services of the department of health and human services, the bureau of developmental***
23 ***services of the department of health and human services, and the bureau of behavioral***
24 ***health services of the department of health and human services shall report all deaths of***
25 ***incapacitated and vulnerable adults to the attorney general for possible referral to the***
26 ***committee. Such referrals shall be made within 60 days of finding there is probable cause***
27 ***to suspect the death was preventable or otherwise may indicate a trend or pattern of***
28 ***incapacitated and vulnerable adult deaths.***

29 V. The committee shall adopt a protocol defining which deaths shall be reported to the
30 committee and subject to review, and which deaths may be screened out for review, such as deaths
31 where the cause is natural, expected, and non-preventable, ***and establishing a procedure for the***
32 ***attorney general to consult with committee leadership or the executive committee when***
33 ***selecting which deaths to review.*** The committee shall also determine whether it is appropriate
34 to have different types of review, such as comprehensive or more limited reviews depending on the
35 incident under review or the purpose of the review. The protocol shall also define the character of
36 the contents of the committee's annual report, required under paragraph VII.

SB 670-FN-A - AS INTRODUCED
- Page 6 -

1 VI. The committee's review of a case shall not be initiated until such time as any related
2 criminal action has been finally adjudicated at the trial court level. Records of the committee,
3 including testimony by persons participating in or appearing before the committee and deliberations
4 by committee members relating to the review of any death, shall be confidential and privileged and
5 shall be protected from direct or indirect means of discovery, subpoena, or admission into evidence in
6 any judicial or administrative proceeding. However, information, documents, or records otherwise
7 available from original sources shall not be construed as immune from discovery from the original
8 sources or used in any such civil or administrative action merely because they were presented to the
9 committee, and any person who appears before the committee or supplies information as part of a
10 committee review, or who is a member of the committee, may not be prevented from testifying as to
11 matters within his or her knowledge, but such witness may not be asked about his or her statements
12 before the committee, participation as a member of the committee, or opinions formed by him or her
13 or any other member of the committee, as a result of participation in a review conducted by the
14 committee.

15 ***VI-a. Upon recommendation of the committee, the attorney general, in his or her***
16 ***sole discretion, shall have the authority to subpoena witnesses or compel the production of***
17 ***information or records for committee review. The attorney general shall have the***
18 ***authority to enforce, if necessary, any subpoena by compelling production in superior***
19 ***court.***

20 VII. The committee shall make a biennial report, on or before the first day of November of
21 each even-numbered year, beginning on November 1, 2020, to the speaker of the house of
22 representatives, the president of the senate, and the governor describing any trends and patterns of
23 deaths or serious injuries or risk factors, together with any recommendations for changes in law,
24 policy, and practice that will prevent deaths and related serious occurrences. The committee may
25 also issue special reports when doing so is necessary to alert authorities or the public to the need for
26 prompt corrective action.

27 VIII. The meetings and records of the committee shall be exempt from the provisions of RSA
28 91-A. The committee's reports shall not include any private or privileged information. Members of
29 the committee may be required to sign a confidentiality agreement that prohibits any unauthorized
30 dissemination of information beyond the purpose of the review process as a condition of membership.

31 4 New Paragraphs; Elderly and Adult Services; Reports and Investigation of Adult Abuse.
32 Amend RSA 161-F:46 by inserting after paragraph III the following paragraphs:

33 IV. Any residential service provider caring for vulnerable adults shall notify the
34 commissioner or designee, the bureau of licensing and certification, the attorney general, and the
35 state's federal protection and advocacy agency in cases involving serious bodily injury or death. For
36 purposes of this section, a residential services provider is a provider licensed or certified to provide
37 services to vulnerable adults that are:

SB 670-FN-A - AS INTRODUCED
- Page 7 -

(a) Supported by the 1915c home and community-based Medicaid waiver program;

(b) At a state-owned or state-operated facility, including, but not limited to, New Hampshire hospital and Glencliff home; or

(c) At Hampstead hospital and residential treatment facility.

V. The notification shall be provided within 7 days of the death or serious bodily injury and shall include the following information:

(a) The resident's name, age, and last known address.

(b) The date of death or incident resulting in serious bodily injury.

(c) The name(s) and contact information for the residential services provider and vendor, if applicable.

(d) The name and contact information of the resident's next of kin and, if under guardianship, the guardian's name and contact information.

(e) A description of the injuries sustained, medical care administered, and, if applicable, the suspected cause of death.

VI. The department shall annually notify each state agency, department, bureau, division of the department, area agency as defined in RSA 171-A:2, I-b, and residential services provider reasonably known to the department of their responsibilities under this section and provide contact information for the agencies to be notified.

VII. The commissioner may adopt rules under RSA 541-A relative to enforcement of this section.

5 Elderly and Adult Services; Registry. Amend RSA 161-F:49 to read as follows:

161-F:49 Registry.

I. There shall be established a state registry at the department for the purpose of maintaining a record of information on each founded report of abuse, neglect, or exploitation toward an individual ~~[by a paid or volunteer caregiver, guardian, or agent acting under the authority of a power of attorney or any durable power of attorney]~~. The registry shall be confidential and subject to rules on access established by the commissioner of the department under RSA 541-A. Unfounded reports shall not be maintained on the registry. The department shall maintain statistical, non-identifying information on founded reports as the department determines is necessary to track and address trends. For the purposes of this section:

(a) "Individual" means an individual, 18 years of age or older, who is a vulnerable adult, as defined under RSA 161-F:43, VII.

(b) "Investigator" means a person designated or employed by the department, in accordance with a protocol developed by the department to ensure objectivity, thoroughness, timeliness, and uniformity in methodology and format in the conduct of investigations and investigation reports. ~~[An investigator may include an investigator employed by an area agency or a community mental health center, if designated by the department.]~~

(c) "Perpetrator" means a person who, following a protective investigation completed in accordance with RSA 161-F:42 through RSA 161-F:57, is found to have abused, neglected, or exploited a vulnerable adult.

(d) "Volunteer" means a person who provides voluntary services through any agency, program, or facility.

II. Within 5 business days of completion of an investigation of abuse, neglect, or exploitation of an individual ~~[by a paid or volunteer caregiver, guardian, or agent acting under the authority of a power of attorney or any durable power of attorney]~~, the investigator shall provide a summary of the investigation to the commissioner, or designee. Except as provided in paragraph IV, for a founded report, the commissioner, or designee, shall, within 5 business days, notify the perpetrator:

(a) Of the founded report against him or her and that such information shall be entered on the registry and the consequences of such a finding.

(b) Of the right to contest the finding by appealing within 10 business days.

(c) Of the right to receive a full and fair administrative hearing, including the right to be represented by counsel at his or her own expense.

(d) Of the right to appeal an adverse administrative hearing decision to the probate court in accordance with paragraph V.

(e) That he or she may petition the probate court to expunge the report from the registry pursuant to RSA 161-F:49, X.

III. In response to a written request from an employer identified in paragraph VII, the commissioner, or designee, shall notify the employer:

(a) Relative to a prospective or current employee, consultant, contractor, or volunteer who is not on the registry of that fact within 5 business days of receipt of a request from the employer.

(b) Relative to a prospective or current employee, consultant, contractor, or volunteer who is on the registry of that fact within 5 business days of receipt of the request from the employer, and the department shall include in the notice the date the person was placed on the registry.

IV. A founded report of abuse, neglect, or exploitation, and other information the commissioner deems appropriate, shall be entered on the registry upon:

~~(a) Expiration of the 10-business-day period for appeal when the perpetrator does not request an appeal.~~

~~(b)]~~ ***the department's decision and shall be removed after 7 years unless*** an administrative hearing officer ~~[sustaining]~~ ***or the probate court overturns*** the finding~~[- unless an appeal is filed in accordance with paragraph V and an order of stay is issued by the probate court].~~

V. If the finding is sustained after an administrative hearing, a perpetrator shall have the right to appeal as follows:

SB 670-FN-A - AS INTRODUCED
- Page 9 -

1 (a) A perpetrator may file a petition in the Merrimack county probate court to review the
2 final order by the commissioner, or designee, within 30 days of the date of the final order.
3 Jurisdiction to hear such appeals is vested in the Merrimack county probate court.

4 (b) At the earliest practical time, the court shall review the record as developed before
5 the commissioner, or designee, together with any written legal argument presented to the court.
6 Based on that review, the court may affirm or reverse the decision of the commissioner, or designee,
7 or order that oral argument be held. As justice may require, the court may remand the case to the
8 commissioner, or designee, for further findings or rulings. The petition for appeal shall set forth all
9 the grounds upon which the final order is sought to be overturned. Issues not raised by the
10 appellant before the commissioner, or designee, shall not be raised before the probate court. The
11 burden of proof shall be upon the appellant to show that the decision of the commissioner, or
12 designee, was clearly unreasonable or unlawful, and all findings of the commissioner, or designee,
13 upon all questions of fact properly before him or her shall be deemed to be prima facie lawful and
14 reasonable. The order or decision appealed from shall not be vacated except for errors of law, unless
15 the court is satisfied, by a clear preponderance of the evidence, that the order is unjust or
16 unreasonable.

17 (c) No new or additional evidence shall be introduced in the probate court. The case
18 shall be determined upon the record and evidence transferred, except that in any case, if it shall be
19 necessary in order that no party shall be deprived of any constitutional right, or if the court
20 determines that justice requires the reception of evidence of facts which have occurred since the
21 hearing, or which by reason of accident, mistake, or misfortune could not have been offered before
22 the commissioner, or designee, it shall remand the case to the commissioner, or designee, to receive
23 and consider such additional evidence.

24 VI. If it is determined by the commissioner, or designee, or after a hearing requested
25 pursuant to subparagraph II(c) that a founded report was caused by factors beyond the control of the
26 perpetrator, then the finding shall not be entered onto the registry as founded.

27 VII. All employers of programs which are licensed, certified, or funded by the department to
28 provide services to individuals shall be required before hiring a prospective employee, consultant,
29 contractor, or volunteer who may have contact with individuals to submit his or her name, for review
30 against the registry to determine whether the person is on the registry. The employer shall not hire
31 the prospective employee, consultant, contractor, or volunteer if he or she is listed on the registry
32 unless the employer requests and obtains a waiver from the department to hire such person. The
33 employer, upon receiving notice that a prospective employee, consultant, contractor, or volunteer is
34 on the registry and in order to determine whether to request a waiver from the department, may
35 request permission from the prospective employee, consultant, contractor, or volunteer for the
36 authority to obtain further information about a founded report of abuse, neglect, or exploitation. An
37 employer ~~[may, with the consent of a]~~ **shall be required for any** current employee, consultant,

contractor, or volunteer, ***to annually*** submit his or her name for review against the registry. All employers, upon learning that the name of a current employee, consultant, contractor, or volunteer of their agency is on the registry shall take immediate action to ensure the safety of the individuals in their care. Such action may include, but is not limited to, termination~~[, training,]~~ ***or*** re-assignment~~[, probationary employment, and/or the provision of direct supervision of the employee, consultant, contractor, or volunteer when working with individuals].~~ ***No employee shall be allowed to care for a vulnerable individual if their name is on the registry.***

VIII. Any person hiring or employing a paid or volunteer caregiver, consultant, or contractor directly, or through an authorized representative or fiscal intermediary, to provide personal care services, as defined in RSA 161-E or RSA 161-I, may, with the consent of the current or prospective caregiver, consultant, contractor, or volunteer, submit his or her name for review against the registry and, if he or she is on the registry, and with the further permission of the current or prospective caregiver, consultant, contractor, or volunteer, obtain information about any founded report. Any person considering designating another to serve as his or her agent under a power of attorney or any type of durable power of attorney may, with the consent of the proposed agent, submit the proposed agent's name for review against the registry. The person shall not be required in such situations to obtain a waiver prior to hiring a person on the registry.

VIII-a. It shall be unlawful for any employer other than those specified under this section to require as a condition of employment that the employee submit his or her name for review against the registry of founded reports of abuse, neglect, or exploitation and any violation of this provision shall be punishable as a violation.

IX. Founded reports of abuse, neglect, or exploitation shall be retained on the registry for a period of 7 years subject to the perpetrator's right to petition for the earlier removal of the report from the registry as provided in this section.

X. Any perpetrator whose name is listed in the founded reports maintained on the state registry may petition the probate court to have a founded report expunged from the registry as follows:

(a) A petition to expunge shall be filed in the probate court where the petitioner resides or where the abuse, neglect, or exploitation occurred.

(b) A petition to expunge shall be filed on forms provided by the probate courts. The petition shall include certified copies of the petitioner's criminal record and may include any other information the petitioner deems relevant.

(c) When a petition to expunge is filed, the probate court shall require the department to report to the court concerning any additional founded abuse, neglect, or exploitation reports relative to the petitioner and shall require that the petitioner submit the petitioner's name, birth date, and address to the state police to obtain information about criminal convictions. The court may require

SB 670-FN-A - AS INTRODUCED
- Page 11 -

1 the department to provide any additional information that the court believes may aid it in making a
2 determination on the petition.

3 (d) Upon the receipt of the department's report, the court may act on the petition
4 without further hearing or may schedule the matter for hearing at the request of either party. If the
5 court determines that the petitioner does not pose a present threat to the safety of individuals and
6 has exhibited best efforts to eliminate the likelihood of reoccurrence of the type of behavior that
7 resulted in his or her entry onto the registry, the court shall grant the petition and order the
8 department to remove the founded report from the registry. Otherwise, the petition shall be denied.

9 XI. The department shall, in the notice it sends out pursuant to RSA 161-F:49, II(a), notify
10 the perpetrator of his or her right to petition to have his or her founded report expunged from the
11 registry. No petition to expunge a founded report shall be brought within one year from the date
12 that the report was initially entered on the registry. If the petition to expunge is denied, no further
13 petition shall be brought more frequently than every 3 years thereafter.

14 XII. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to:

15 (a) Setting forth the process and criteria for requesting and granting a waiver pursuant
16 to RSA 161-F:49, VII.

17 (b) Safeguarding the confidentiality of and access to the registry except for the functions
18 necessary to comply with this section. Such safeguards shall include limitations on which persons in
19 an employment situation may request and access the founded reports on the registry.

20 6 New Section; Child Protection Act; Deaths of Children in Institutional Residential Care.
21 Amend RSA 169-C by inserting after section 37 the following new section:

22 169-C:37-a Deaths of Children in Institutional Residential Care.

23 I. In cases involving the death of a child placed in any group home or child care institution
24 as defined in RSA 170-E:25 or certified by the department for the care of children under this chapter,
25 in any state owned or operated residential treatment program, or the youth development center or
26 its successor facility, the residential services provider shall notify the attorney general, the state's
27 federal protection and advocacy agency for individuals with disabilities, and the bureau of licensing
28 and certification, child care licensing unit.

29 II. The notification required under this section shall be provided within 7 days of the child's
30 death and shall include the following information:

31 (a) The child's name and age;

32 (b) The date of death or incident resulting in serious injury;

33 (c) The name and contact information for the child's parent or, if parental rights have
34 been terminated, the name and contact information for the child's next of kin;

35 (d) The name(s) and contact information for the residential services provider; and

36 (e) A description of the suspected cause of death.

1 III. The department of health and human services shall annually notify each of the facilities
2 described in this section of their reporting responsibilities, including contact information for the
3 agencies to be notified.

4 IV. The commissioner may adopt rules under RSA 541-A relative to the enforcement of this
5 section.

6 7 Effective Date.

7 I. Section 1 of this act shall take effect upon its passage.

8 II. Section 2 of this act shall take effect July 1, 2026.

9 III. The remainder of this act shall take effect 60 days after its passage.

LBA
26-3258
02/05/2026

**SB 670-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a developmental services oversight commission; relative to membership and duties of the incapacitated and vulnerable adult fatality review committee; relative to reporting requirements regarding the death of a child in residential care; and relative to the registry of founded reports of abuse, neglect, or exploitation of vulnerable adults.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Health and Human Services and Department of Justice. The Department was initially contacted on 02/05/2026 for a fiscal note worksheet. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Department of Health and Human Services and Department of Justice