

CHAPTER 109
SB 608-FN - FINAL VERSION

01/29/2026 0210s
03/12/2026 1050s
9Apr2026... 1263h

2026 SESSION

26-2173
09/08

SENATE BILL ***608-FN***

AN ACT relative to family caregiver support in certain programs and child care support for kinship caregivers.

SPONSORS: Sen. Watters, Dist 4; Sen. Lang, Dist 2; Sen. Fenton, Dist 10; Sen. Avar, Dist 12; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Altschiller, Dist 24; Rep. Rice, Hills. 38; Rep. Wallner, Merr. 19

COMMITTEE: Health and Human Services

ANALYSIS

This bill directs the department of health and human services to seek approval from Centers for Medicare and Medicaid Services to cover family caregiver support services as an allowable service under specified waiver programs. The bill also eliminates the child care scholarship cost share for children in kinship care.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to family caregiver support in certain programs and child care support for kinship caregivers.

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

1 109:1 New Section; Long-Term Care; Family Caregiver Support. Amend RSA 151-E by inserting
2 after section 28 the following new section:

3 151-E:29 Family Caregiver Support.

4 I. The commissioner of the department of health and human services shall seek approval from
5 the Centers for Medicare and Medicaid Services (CMS) to include family caregiver support services as an
6 allowable service under the Acquired Brain Disorder (ABD) and the Choices for Independence (CFI)
7 Home and Community Based Services (HCBS) waiver programs as determined under the individual
8 service plan.

9 II. The department shall incorporate such services into the ABD and CFI HCBS programs through
10 waiver amendments or at the respective waiver renewals for ABD and CFI HCBS programs.

11 III. Family caregiver support services shall be designed to sustain the ability of caregivers to
12 provide care in the home and community. Services may include, but are not limited to, counseling,
13 education and training, peer support, caregiver assessment or other supports consistent with the
14 purposes of this section.

15 IV. The commissioner of the department of health and human services shall adopt rules under
16 RSA 541-A relative to definition, scope, eligibility criteria, provider qualifications, and service limitations
17 for family caregiver support services.

18 109:2 Child Care Support for Kinship Caregivers. Amend RSA 161:2, XII to read as follows:

19 XII. Social Service Programs. Develop a broad range of social and related services aimed at
20 preventing dependency and family breakdown, promoting child development and child care, protecting
21 vulnerable children and enabling them to live in their own homes or foster homes rather than in
22 institutions, assisting individuals to attain and maintain self-support and strengthen family life, develop
23 and operate social service programs within the department of health and human services, receive and
24 distribute such federal funds which are allocated specifically to the state for day care for children and
25 adults, and purchase or contract with other agencies or individuals to provide direct grants from sums
26 appropriated for such purpose to other agencies upon submission of approvable plans within the
27 objectives of this paragraph. Child care provided as a preventive or protective service shall be available
28 to grandparents who are the legal guardians or primary caretakers of their grandchildren. Beginning July
29 1, 2021, child care providers who contract with the department to provide preventive and protective child
30 care services shall be trained in *evidence-based* trauma-informed care *at no cost to the provider*.

CHAPTER 109
SB 608-FN - FINAL VERSION
- Page 2 -

109:3 New Hampshire Employment Program and Family Assistance Program; Modification of Work Requirement for Purposes of Child Care Scholarship Eligibility; Retirement. Amend RSA 167:83, II(q) to read as follows:

(q) Modification of the work requirement for the child care scholarship program to include participation in an approved mental health or substance use disorder or substance misuse treatment program verified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician associate, a licensed alcohol and drug counselor (LADC), a certified recovery support worker (CRSW), or a board-certified psychologist *and to include retirement for any individual who has reached retirement age as defined by the Social Security Administration.*

109:4 New Subparagraph; Child Care Scholarship Program. Amend RSA 167:83, II by inserting after subparagraph (u) the following new subparagraph:

(v) Elimination of the child care scholarship cost share for children in kinship care. There shall be no child care scholarship family cost share for any household in which all enrolled children are in the care of a caretaker relative, as defined in RSA 167:78, III. If one or more enrolled children in the household are not in the care of a caretaker relative, the household may be required to pay a family cost share, but the household shall not be required to pay any additional cost share for those children who are in the care of a caretaker relative.

109:5 Contingency. Department of Health and Human Services; Funding.

I. RSA 167:83, II(q), as amended by section 3 of this act, and RSA 167:83, II(v), as inserted by section 4 of this act, shall take effect upon certification by the commissioner of the department of health and human services to the director of the office of legislative services and secretary of state that the federal Office of Child Care has approved modification of the child care scholarship program as provided in sections 3 and 4 of this act.

II. The department shall not be required to implement the provisions of this act until such date that the program is sufficiently funded to meet the requirements of sections 1 through 4 of this act. Beginning July 1, 2026, the department shall submit bi-monthly written reports to the house children and family law committee and the senate children and family law committee on the status of available funding to implement the requirements of this act until such time that the program is fully implemented.

109:6 Fiscal Committee Approval. Upon receipt of federal approval required by this act, the department of health and human services shall seek approval from the joint legislative fiscal committee at its next scheduled meeting for any expenditures pursuant to sections 1, 3, 4, and 5 of this act.

109:7 Effective Date.

I. Sections 3 and 4 of this act shall take effect as provided in section 5 of this act.

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

Approved: May 28, 2026

Effective Date:

I. Sections 3+4 effective as provided in section 5.

II. Remainder effective May 28, 2026.

