Quarterly Report #1 on Enhanced Oversight of Children in Residential Placements

Pursuant to Chapter 343, Laws of 2024 (House Bill 1573) to the New Hampshire Speaker of the House of Representatives, the President of the Senate, the Chairpersons of the House and Senate Fiscal Committees, the Oversight Committee on Health and Human Services, and the Office of the Child Advocate.



Division for Behavioral Health

Division for Children, Youth, and Families

New Hampshire Department of Health and Human Services

October 2024

The Department of Health and Human Services' Mission is to join communities and families in providing opportunities for citizens to achieve health and independence.

On August 2, 2024, Governor Sununu signed House Bill 1573 requiring licensure and certification of court-ordered residential treatment programs for children and directed the Department of Health and Human Services (DHHS) to ensure robust monitoring and quality assurance. House Bill 1573 set forward an expectation for three quarterly reports occurring on October 1, 2024, January 1, 2025 and April 1, 2025. The reports shall detail:

I. How DHHS has spent the funds appropriated by House Bill 1573.
II. The number of children visited, both in-state and out-of-state.
III. The number of facilities visited, both in-state and out-of-state.
IV. The number of children in placements outside of New England and approval of any new placements outside of New England.
V. Actions, policies, and practices undertaken to expand and enhance certification requirements and the oversight of residential placements.
VI. Coordination between DHHS and the Office of the Child Advocate to improve caseworker visits with children placed by the state in residential settings.
VII. Implementation and assessment of the policies regarding oversight of children in residential placements.

The Department of Health and Human Services (Department) is responsible for certification, recertification, and oversight of all behavioral health residential treatment programs that serve children, youth, and young adults. These programs are certified for placements and payment by the Department. Prior to the adoption of House Bill 1573 (HB 1573) in 2024, the Department had an established children's residential certification team that certified residential programs using standard operating procedures as defined in Chapter He-C 6339 – Certification for payment standards for community-based in home service providers.

All certified children's residential programs have onsite quality assurance reviews once per year. The focus of these quality assurance reviews alternates following initial certification. Site visits in year one following certification focus on providing technical assistance to the provider and year two is a full certification site review. Since 2021 all New Hampshire and New England programs that were both contracted and certified by the Department received one annual site visit. Starting in 2023 all certified residential treatment programs (contracted and not contracted) that had children in an episode of treatment received one annual site visit.

Providers can apply for certification by submitting an application to the Department. All applications are reviewed in accordance with He-C 6350 and the Department's children's residential certification team visits the program prior to certification. All certified programs are required to submit an annual application for renewal. Programs are administratively renewed annually in addition to the technical assistance and certification site reviews. HB 1573 codifies this process and adds an additional (second) annual monitoring visit to all certified programs both in state and out of state where children are placed (for a total of two-yearly monitoring visits, in which one must be unannounced). Oversight requirements and appropriations outlined in HB 1573 will result in expanding the Department's designated residential certification team by January 2025. The Department will also undertake a thorough and collaborative review of the existing certification processes, as well as state rules and regulations that govern children's residential treatment programs. Updates to these processes and rules will be made as needed. The below report outlines the implementation plan to meet the additional requirements as outlined in this act (I-II) and data regarding oversight of children's residential (III-VII).

I. Expenditure Report

Provide detail about how the department spent funds by expenditure category such as staffing and travel expenses, both in state and out of state.

On August 2, 2024, HB 1573 was signed by Governor Sununu, following adoption by the legislature on June 13, 2024. The Department began to outline how the $1,000,000 appropriated for personnel and travel for the purpose of enhancing oversight of certification and quality assurance of residential facilities would be spent. Below is the spending plan and descriptions.

This spending plan assumes expenses will be incurred between January 1, 2025, to December 31, 2026.

Budget item	**SFY25** Jan. 1 2025 – June 30 2025	**SFY26** June 30 2025 – June 30 2026	**SFY27** July 1 2026 – Dec. 31 2026	**SFY25-27**
Personnel	$110,000	$234,000	$110,000	**$454,000**
Technical Assistance	$48,000	$48,000	$48,000	**$144,000**
Travel	$100,500	$201,000	$100,500	**$402,000**
TOTAL	**$258,500**	**$483,000**	**$258,500**	**$1,000,000**

Personnel – HB 1573 requires the department to establish a certification team by January 2, 2025. The Department currently has a 3-person certification team responsible for certification and oversight of children's residential programs. This team is responsible for coordinating, reporting on, and tracking information regarding on-site residential visits, certification, and technical assistance. In order to meet the HB 1573 requirements of one additional on-site monitoring visit per year, the Department will add two quality assurance positions within the Bureau for Children's Behavioral Health. These positions will work as part of the Department's designated certification team for children's residential programs. (Program Specialist IV or equivalent LG 25, step 5). The Department has begun the process to create these positions and it is expected they will be established by June 30, 2025.

In the time period between January 1, 2025 - June 30, 2025 the Department will train existing staff to perform the additional residential site visits as required by HB 1573. Employees will conduct these site visits and any overtime accrued will be compensated using funds allocated through HB 1573.

Residential Certification Team	**SFY25**	**SFY26**	**SFY27**
DHHS Staff Overtime	$110,000		
Residential Quality Assurance Position		$117,000	$55,000
Residential Quality Assurance Position		$117,000	$55,000
TOTAL The amounts include salary retirement, health, dental, life and short-term disability, and paid family medical leave	**$110,000**	**$234,000**	**$110,000**

Technical Assistance – The Department has an existing certification process that aligns with state rules and regulations. In order to standardize and package reports related to certifications and monitoring visits, the Department will enter into a contract with a vendor. This contract, with a maximum limit of $144,000, is expected to be a short-term, deliverables-based contract to:

1. Develop digital tools and templates for use to document residential certification visits and corrective action;
2. Provide technical assistance and training to the certification team on use of tools and quality assurance best practices; and
3. Review and make recommendations about data platform options to more effectively track and report out on certifications and site visits.

Current Status:

The Department has approached Technical Assistance thoughtfully, considering options that could expedite the Department's ability to obtain deliverables. Approaches may include reviewing sole source options available to develop tools and templates to improve certification and action steps.

Travel – HB 1573 includes a requirement for one additional on-site visit per year to all facilities where NH children are currently placed in residential treatment. In order to support expenses related to these additional on-site visits, the below budget will be allocated.

Travel Time	# Visits per year	Average cost per trip	TOTAL COST	Assumptions
NH Programs	30	$300 (Mileage)	$9,000	Assumes the use of a shared state car when possible. Some trips will include multiple drivers and multiple days.
New England Programs	30	$1,400 (Mileage, per diem, hotel)	$42,000	Assumes the use of a shared state car when possible. Some trips will include multiple drivers and multiple days. 2-4 staff depending on visit.
Programs Outside New England	30	$5,000 (Flight, per diem, hotel, ground transport)	$150,000	Assumes travel costs for the additional unannounced visits that may be completed by 1-2 staff members.
Total SFY Spends	**SFY 25**	**SFY26**	**SFY27**	
	$100,500	$201,000	$100,500	**TOTAL: $402,000**

II. Number of children visited both in-state and out-of-state

Quarter 1 SFY 25
As of September 25, 2024, there are 296 children/youth in the care of the Department (via the Division for Children, Youth, and Families; DCYF) who are placed in residential treatment settings. All children/youth in the care of the Department have monthly visits with their caseworker or someone familiar with the child's case**.** It is the current policy and practice that all children in out-of-home placement be visited in person monthly (See policy 1501).

	Total	In-state	Out-of-state
Number of DCYF placed children visited Q1 SFY25	296	241	55

III. The number of facilities visited both in-state and out-of-state

Quarter 1 SFY 25
The Department's existing children's residential certification team, as part of standard planned certification visits, completed the following visits. All certification visits were planned with the programs, and none were unplanned during Quarter 1 of SFY 25.

	Total	In-state	Out-of-state
Number of facilities visited Q1 SFY25	16	4	12

IV. The number of children in placements outside of New England and whether the director of the division for children, youth, and families approved any new placements outside of New England during the last quarter.

	Approved by director	Not approved by director
Total number of DCYF engaged children in placements outside of New England	9	0
Of the total number of DCYF engaged children in placement outside of New England, the number of *new* placements during Q1 SFY25	5	0

V. Actions, policies, and practices undertaken to expand and enhance certification requirements and the oversight of residential placements.

Quarter 1 SFY 25
The Bureau for Children's Behavioral Health (BCBH) joined the Bureau of Developmental Services and the University of New Hampshire Institute on Disability on a quality assurance visit to a young adult residential program utilized for youth served through the developmental services system. This visit was not only an opportunity to visit the program for purposes of a quality assurance review for BCBH, but also provided the experience of a different quality assurance review which is utilized by the other Division within the Department. As the certification quality assurance review process is being updated utilizing other experiences and practices from other departments will be considered.

VI. Coordination between the department and the Office of the Child Advocate to improve caseworker visits with children placed by the state in residential settings, including through regular meetings and coordinated visits.

Quarter 1 SFY 25

DHHS meets monthly with the Office of Child Advocate to share information and to discuss agency questions or concerns.

The New Hampshire Division for Children, Youth and Families (DCYF) Chief of Legal, Regulatory and Legislative Affairs attended the Bureau of Field Services monthly leadership meeting on July 23, 2024, to present legislation that directly impacts Child Protection and Juvenile Justice Field service work. A PowerPoint and legislative overview was later provided to all Field Service Supervisors and Administrators for their future knowledge/utility as the first step in the implementation process of 2024 legislative changes. These documents were shared with the Office of Child Advocate (OCA).

The Department has also established an internal standing meeting for the implementation of 2024 legislation named the Legislative, Policy, Implementation Workgroup (LPIW) which is co-led by the DCYF Policy and Regulatory Unit and the Child Welfare Education Partnership (CWEP). The meeting is comprised of various Department bureaus including Children's Behavioral Health, DCYF Field Services, Legal, and various policy and training unit employees.

The leads are organizing and tracking progress to ensure the Department meets legislative deliverables in collaboration with the OCA. The LPIW group is responsible for 1.) vetting tasks, 2.) answering rising issues, 3.) version approval, and 4.) tracking workflows that will occur in smaller training and policy sub-groups.

2024 LPIW meetings will occur on the 1st and 3rd Friday of the Month from 9:00AM - 10:00AM until all deliverables have been fulfilled with implementation and training of HB 1573, SB 417, and all 2024 legislation.

The Department created an extensive tracking document which was shared with the OCA via email on September 13, 2024 to identify the relevant rule, form, and policy considerations needed regarding the changes in statute (See below, Section VII., for more information regarding the tracker). Additionally, the workgroup recently participated in the monthly Model Court Executive Meeting to ensure tasks associated with the decisions made there are reflected in DCYFs work, policies and procedures as well as to ensure collaboration and consistency of practice involving the court process. The Model Court Executive Committee will now be meeting monthly and includes the LPWI workgroup. This workgroup had their kickoff meeting with the Office of the Child Advocate on Tuesday, September 24, 2024 to begin the collaboration of drafting and implementing a Caseworker Monthly Visit Form with a corresponding SOP to report and document the monthly caseworker visits with children/youth in residential treatment facilities pursuant to SB 417.

The Department is committed to meeting with the OCA monthly to share information and to discuss agency questions or concerns as they arise. Similarly, the OCA often reaches out directly to field workers, supervisors and administrators about cases, which often leads to case specific meetings; internal and external such as treatment team meetings. The OCA makes case related recommendations that are considered by DCYF. They have attended Field Service Leadership meetings in the past and have been informed they can always ask for time on the monthly agenda. More recently, they joined Permanency Planning Team Meetings (PPT) in the Manchester and Southern District Offices with the goal of attending other offices across the State. All the previously referenced meetings will support coordination between the Department and the OCA to improve caseworker visits with children placed by the state in residential treatment settings.

VII. Any additional information regarding implementation and assessment of the policies in section 1. regarding oversight of children in residential placements.

Quarter 1 SFY 25

As discussed above, the Department has begun the implementation of HB 1573 and SB 417 enhancing and documenting both the certification process of residential treatment and the caseworker visits with children/youth at these residential treatment settings, with the following tracker of policy and regulatory updates:

Bill	Effective Date	Rule, Form, Policy	Status
SB 417	TBD	He-C 6350 Certification for Payment Standards for Residential Treatment Programs	In review to determine applicability and any revisions needed to align with SB 417
	1/1/2025	Policy 1276 Court Interventions	Early planning stage
	1/1/2025	Policy 1278 Dispositional Hearings and SOPs	Drafting stage
	1/1/25	Form 1278 Dispositional Report	Drafting stage
	1/1/25	Policy 1501 Engaging Families in a Case	WG determined, 1st meeting with OCA 9/24/24
	1/1/25	Policy 1503 Maintaining Connections	Planning stage
	1/1/25	Form 1565 Monthly Caseworker Visit with Child and corresponding SOP Monthly Worker Visits with Child	OCA and Policy Unit meeting 9/24 to draft Caseworker Visits Form/Report and SOP
	1/1/25	Policy 1550 Case Plans	Flagged for review to determine needs
	1/1/25	Form 1550 Case Plan	Flagged for review to determine needs
	1/1/25	Policy 1560 CANS	Flagged for review to determine needs
	1/1/25	Policy 1565 Reunification	Flagged for review to determine needs
	1/1/25	Policy 1590 Placement in Certified Out-Of-State Residential Treatment Programs	Planning stage-Met with DCA for ICPC 9/18/24 for input
	1/1/25	Policy 1600 Placement Considerations/Siblings/etc. (also 1503)	Phase I in vetting stage, Phase II in Planning stage
	1/1/25	Policy 1615 Placement	Phase I in vetting stage, Phase II in Planning stage
	1/1/25	Policy 1625 Permanency Planning (minimal impact)	Planning stage 1st meeting was 9/10/24
	1/1/25	Policy 1626 Permanency Supports (minimal impact)	Planning stage 1st meeting was 9/10/24
	1/1/25	Permanency Guide (minimal impact)	Planning stage 1st meeting was 9/10/24
	1/1/25	Policy 1666 Educational Planning for Children in Placement	Flagged for review to determine needs
		ED 117	Flagged for review for alignment/collaboration
	1/1/25	Policy 1784 Matching Meetings (minimal impact)	Planning stage 1st meeting 9/10/24
	1/1/25	New Policy/SOPs around proposed orders to the Court	Early planning stage
HB 1573	TBD	He-C 6350 Certification for Payment Standards for Residential Treatment Programs	In review to determine applicability and any revisions needed to align with HB 1573
	7/1/2024	He-C 6355 Certification for Payment Standards for Residential Treatment Programs	Drafted pre-Tier One review
	TBD	He-C 6420 Medicaid Covered Services	Flagged for review to determine needs
	TBD	Policy 1590 Placement in Certified Out-Of-State Residential Treatment Programs	In progress, met with ICPC DCA and started drafting
	7/1/2024 & 1/1/25	Policy 1600 Placement Considerations	Phase I in vetting stage, Phase II in Planning stage
	7/1/2024 & 1/1/25	Policy 1615 Placement	Phase I in vetting stage Phase II in Planning stage

7/1/2024 & 1/1/25	Form 1615 Director Approval for Out-Of-State Residential Treatment (new)	Phase I in vetting stage Phase II in Planning stage
7/1/2024 & 1/1/25	Policy 2600 Residential Treatment Programs	Planning stage-first meeting with BCBH 9/20/24
1/1/2025	New Policy/SOPs around proposed orders to the Court	Early planning stage