

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE MINUTES

November 10, 2021

The Legislative Performance Audit and Oversight Committee met on Wednesday, November 10, 2021 at 11:00 AM in the LOB Room 210-211.

Members in attendance were as follows:

Rep. Keith Erf
Rep. Ken Weyler
Sen. John Reagan, Vice Chair
Sen. Erin Hennessey
Rep. Lucy Weber
Rep. Mary Jane Wallner
Sen. Bob Giuda
Sen. Jay Kahn

The meeting was called to order by Senator Reagan at 11:00.

VOTE ON ACCEPTANCE OF THE JULY 26, 2021 MEETING MINUTES:

One correction was made to the July 26, 2021 minutes. The correction was made on the top of the first page. Senator Reagan's title was changed from "Chair" to "Vice Chair." There were no other corrections.

Motion by Representative Weyler, seconded by Senator Giuda. Voice vote.

MOTION ADOPTED.

STATUS OF ONGOING PERFORMANCE AUDITS:

Stephen Smith, Director of Audits, provided the Committee with brief updates of ongoing performance audits. The Board of Dental Examiners has some outstanding fieldwork but drafting of the report is ongoing with a draft report ideally completed in January and a presentation to Fiscal in a February or March timeframe. The Child Care Licensing Unit has ongoing fieldwork and report drafting has begun. The draft will hopefully be done before the end of the year with a report to Fiscal in February depending on how the exchange of observations and responses goes. The review of the New Hampshire Retirement System is ongoing with research, gathering background information, and conducting interviews with the New Hampshire Retirement System and the Department of Administrative Services. No completion timeframe was given.

The Bureau of Elderly and Adult Services - Choices for Independence is currently on hold. Auditors had an entrance meeting, and Health and Human Services requested a delay due to workload resource demands and ongoing litigation that touches the current audit topic. Senator Reagan looked for a motion to suspend. Senator Hennessey motioned to suspend the audit. Second by Representative Weyler. Discussion by

Senator Giuda who suggested that the audit be suspended until after close of litigation.

Voice vote.

MOTION ADOPTED.

IDENTIFY NEW TOPICS AND PRIORITIZE AUDIT WORK:

Two topics were received by Jay Henry, Performance Audit Supervisor: Earned Credit (Department of Corrections) and Special Education (Department of Education). There has been no work on either of these, but the LBA needs a topic for the audit team that is currently performing the review of the Retirement System.

Discussion followed regarding Earned Credit. Senator Giuda was unsure if this topic would rise to level of an audit but instead could possibly be addressed by the Department of Corrections. It is unclear who requested the audit; there was suggestion that it was from a member of the Parole Board. Commissioner Hanks for the Department of Corrections was invited to speak about the question. She explained how the courses operated and how credit was awarded once the courses were completed; she emphasized that if it could not be determined who conducted the courses, the applications for credit would not be signed. It was agreed that an audit of this topic would be of no use to the Department. No vote was taken.

Senator Reagan began discussion about Special Education. There was concern about the amount of money spent on special education when parents and children were not receiving appropriate services, even when those services were specifically ordered in individualized education programs. Discussion followed regarding the scope of the question, with emphasis on the dispute resolution process or effective use of dollars. It was suggested that the LBA come back with a preliminary statement to help define the proper scope.

Motion by Senator Hennessey. Second by Senator Giuda. Voice vote.

MOTION ADOPTED.

TABLED AUDIT TOPICS AWAITING FURTHER LPAOC ACTION:

- Retirement System Investments

Senator Giuda motion to terminate. Second by Senator Kahn. Voice vote.

MOTION ADOPTED.

- Mental Health Workforce Development

Discussion was had regarding whether this topic was best for legislative remedy. It was then suggested that this topic mimic the Child Care Licensing audit by looking at licensing requirements and procedures, inclusive of a comparative look at other states.

Motion by Senator Giuda. Second by Representative Weber. Voice vote.

MOTION ADOPTED.

Representative Weber left at approximately 11:40.

- Weatherization Program

The Committee agreed that the topic ought to remain where it is. No vote taken.

- Fixed-Wing Aircraft Program

The Committee agreed that the topic ought to remain where it is. No vote taken.

OTHER BUSINESS:

Jay Henry confirmed the requests of the Committee regarding scope statements for Special Education and Mental Health Workforce Development. Special Education was confirmed to require a "mini scope" in which the LBA would provide questions for the Committee to consider so that a more defined audit scope could be determined. Mental Health Workforce Development was confirmed to require a "real scope statement" and the topic would be sent to Fiscal for approval. The Committee confirmed his understanding of scope requests.

Senator Giuda asked about a cost comparison regarding the aircraft program. Jay Henry responded that he notified the Department of Safety, and that the Department would get information together to present to the Committee. This would be accomplished in December or January.

Jay Henry notified the Committee that a letter was prepared for Senator Reagan to sign and send to Fiscal. This letter regarded the Impact Award.

DATE OF NEXT MEETING AND ADJOURNMENT:

Next meeting will be at the call of the Chair. Senator Reagan adjourned the meeting at 11:47.



Sen. John Reagan, Vice Chair