

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE MINUTES

April 17, 2023

The Legislative Performance Audit and Oversight Committee met on Monday, April 17, 2023 at 9:00 AM in the LOB Room 212.

Members in attendance were as follows:

Rep. Keith Erf
Rep. Ken Weyler
Rep. Gerald Griffin
Rep. Lucy Weber
Sen. Cindy Rosenwald, Chair
Sen. Carrie Gendreau
Sen. Rebecca Whitley
Sen. Howard Pearl
Sen. Timothy Lang

The meeting was called to order by Representative Weber at 9:00 AM.

VOTE ON CHAIR:

On a motion by Representative Erf, Seconded by Senator Whitley, that Senator Rosenwald be elected Chair. MOTION ADOPTED.

VOTE ON ACCEPTANCE OF THE NOVEMBER 10, 2022 MEETING MINUTES:

On a motion by Representative Weber, seconded by Representative Erf, that the minutes of the November 10, 2022 be accepted. MOTION ADOPTED.

STATUS OF ONGOING PERFORMANCE AUDITS:

Stephen Smith, Director of Audits, provided the Committee with brief updates of ongoing performance audits:

- Weatherization Assistance Program – is complete and was presented to and released by the Fiscal Committee in March.
- Mental Health Workforce Licensing – field work has been concluded, observations and report drafting are in process. The goal is to have a draft report to all boards by June, and Fiscal Committee presentation is targeted for September.
- Special Education Dispute Resolution Processes – field work has been completed and report draft is expected late June.
- State Oversight of Special Education – we anticipate presenting this report in early 2024. Frank Edelblut, Commissioner of the Department of Education, discussed his concerns

regarding the general dispute resolution process. He wanted to ensure that students with disabilities receive the best possible services, and that the scoping of this audit provides the outcome they're looking for. Steven Grady, Senior Audit Manager, ensured the Committee that they will be looking at the Department's compliance or non-compliance with the requirements that are imposed. They will also be looking at the system the Department has in place, and whether it contributes to achieving those expected outcomes that the Legislature has imposed upon the Department in RSA 186-C. On a motion by Representative Weber, moved to accept the scope statement as written, seconded by Senator Whitley. MOTION ADOPTED.

- NH Commission for Human Rights – an entrance meeting has been scheduled.
- HB 1135 requires a performance audit of Education Freedom Account Program – in our queue for October of 2023.

TABLED AND SUSPENDED TOPIC, NEW TOPICS, AND PRIORITIZE AUDIT WORK:

Stephen Smith, Director of Audits, provided the Committee with a brief update of other audit topics:

- Bureau of Elderly and Adult Services – this audit was suspended in November 2021 by this Committee. When we began this audit, we became aware of legal proceedings and lawsuits that were going to be central to the audit topic. As not to interfere with the audit, the Committee recommended it be suspended.
- Public Access to Bodies of Water – in the past, it was decided not to move forward with this audit as there might be another committee responsible for this topic.
- Secretary of State's Archives and Records – this audit was tabled due to the fact it is unclear in statute if the LBA can perform a performance audit on the constitutional duties of a constitutional officer. Senator Whitley volunteered to work with Senate Research to get more legislative history on the provision.
- Office of Professional Licensure and Certification (OPLC) – OPLC is undergoing restructuring, transitioning, and turnover within their office. The Committee has decided to table a full-blown audit.

DATE OF NEXT MEETING AND ADJOURNMENT:

Next meeting will be at the call of the Chair. Senator Rosenwald adjourned the meeting at 10:43 AM.


Sen. Cindy Rosenwald, Chair