

JOINT LEGISLATIVE FISCAL COMMITTEE

Vast Conference Remote Meeting
Friday, June 12, 2020

MEMBERS PRESENT:

Rep. Mary Jane Wallner, Chair
Rep. Ken Weyler
Rep. Susan Ford
Rep. Erin Hennessey (Alt.)
Rep. Patricia Lovejoy (Alt.)
Sen. Lou D'Allesandro
Sen. President Donna Soucy
Sen. Jay Kahn
Sen. Cindy Rosenwald
Sen. Chuck Morse

(The meeting convened at 10:00 a.m.)

(1) Call In Instructions:

MARY JANE WALLNER, State Representative, Merrimack County, District #10: We'll open the June 12th Fiscal Committee meeting, and I'm Mary Jane Wallner, Chair of the Fiscal Committee. As the Chair of the Fiscal Committee of the General Court, I find that due to the state of emergency declared by the Governor as a result of COVID-19 pandemic, and in accordance with the Governor's Emergency Order Number 12, pursuant to Executive Order 2020-04, as extended pursuant to Executive Order 2020-10, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are, one, providing public access to the meeting by telephone with additional access possibilities by video or other electronic means. We are --

COURTNEY JORDAN, Program Assistant II, Division of Homeland Security and Emergency Management, Department of Safety: Representative Wallner, I'm sorry to interrupt.

CHAIRWOMAN WALLNER: Yes.

MS. JORDAN: I'm sorry to interrupt. I have to start the recording for the call, and I interrupted you. I just wanted to --

CHAIRWOMAN WALLNER: Okay.

MS. JORDAN: -- start the recording for you. Okay. I'm sorry about that.

CHAIRWOMAN WALLNER: Okay.

(Conference recording started.)

CHAIRWOMAN WALLNER: We are utilizing -- do I need to start over? Can I just stay here?

MS. JORDAN: It's up to you, if you think that you need to.

CHAIRWOMAN WALLNER: I'll just continue. Okay.

UNIDENTIFIED MALE VOICE: Yes.

CHAIRWOMAN WALLNER: We are utilizing Vast Conference for this remote meeting, and all Members of the Committee and the staff, State Agencies with agenda items, have the ability to communicate contemporaneously during this meeting through this platform. And the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone number: 1- 800-356-8278, and the six digit conference code 125563 followed by the pound sign.

And, second, we are providing public notice of this necessary information for accessing the meeting. We previously

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gave notice to the public of the necessary information for accessing the meeting telephonically. Instructions have also been provided in the House and Senate Calendars, the Fiscal Committee Agenda, and the website of the Legis -- of the Office of the Legislative Budget Assistant.

Three: We are providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem, please e-mail nheoc@dos.nh.gov.

And, four, adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start today by taking the roll of attendance. I do know that Representative Hennessey is subbing today for Representative Ober, and Representative Lovejoy is subbing for Representative Leishman. When each -- when each member states their presence, please also state whether there is any one in the room with you during this meeting, which is required under the Right-To-Know Law. And I will ask Representative Weyler to take the roll.

KENNETH WEYLER, State Representative, Rockingham County, District #13: Thank you, Madam Chair. Representative Wallner.

CHAIRWOMAN WALLNER: Here. I'm in -- at my home in Concord, New Hampshire, and there is no one in the room with me. And I would just -- could I just remind people that until they speak could they please mute their phones. We were getting some background noise. Thank you.

REP. WEYLER: Representative Ford.

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SUSAN FORD, State Representative, Grafton County, District #03: Present and I am at my home in Easton alone.

REP. WEYLER: Representative Weyler is here and I'm in my home in Kingston. I'm alone in this room. Representative Hennessey.

ERIN HENNESSEY, State Representative, Grafton County, District #01: Representative Hennessey is here. I am in my house in Littleton with my two minor children.

REP. WEYLER: Representative Lovejoy.

PATRICIA LOVEJOY, State Representative, Rockingham County, District #36: Hello. I'm here. I'm at my home in Stratham, and I'm alone in this room.

REP. WEYLER: Senator D'Allesandro.

(No response).

REP. WEYLER: Is Senator D'Allesandro present?

LOU D'ALLESANDRO, State Senator, Senate District #20: Yes. Okay.

REP. WEYLER: Thank you.

SEN. D'ALLESANDRO: Senator D'Allesandro. Representative Weyler, I'm at home in Manchester and I'm alone.

REP. WEYLER: Thank you. Senate President Soucy.

DONNA SOUCY, State Senator, Senate District #18 and Senate President: Good morning. I am at my home in Manchester, and I am alone.

REP. WEYLER: Thank you. Senator Kahn.

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JAY KAHN, State Senator, Senate District #10: I'm here in Keene in the room by myself.

REP. WEYLER: Senator Rosenwald.

CINDY ROSENWALD, State Senator, Senate District #13: Good morning. I'm sitting at my dining room table and I am all alone, so.

REP. WEYLER: Senator Morse.

CHUCK MORSE, State Senator, Senate District #22: Senator Chuck Morse. I'm at my office in Atkinson, and I'm alone.

REP. WEYLER: Thank you. Madam Chair, ten members present.

(2) **Acceptance of Minutes of the May 8, 2020 and May 28, 2020 meetings**

CHAIRWOMAN WALLNER: Now moving into the agenda and the acceptance of the minutes of May 8th and May 28th. And are there any corrections to the minutes?

(No response).

CHAIRWOMAN WALLNER: Hearing no corrections, could I have a motion on the acceptance of the minutes?

** REP. FORD: Representative Ford moves acceptance.

SEN. PRESIDENT SOUCY: Second Donna Soucy.

CHAIRWOMAN WALLNER: Second. Representative Ford moves acceptance and Representative -- Senator Soucy seconds. And that is the acceptance of the minutes of May 8th and May 28th. And I will ask Representative Weyler to take the roll.

REP. WEYLER: Thank you, Madam Chair. Representative Ford.

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REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes; however, I was not present at one of them. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senate President Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: 10 to 1 -- 10 to 0.

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CHAIRWOMAN WALLNER: 10 to 0. We almost had an extra person there. Thank you, Representative Weyler. And the motion passes 10 to 0.

***** {MOTION ADOPTED}**

(3) Old Business:

CHAIRWOMAN WALLNER: And we'll move on to Old Business. We have tabled an item and then we do have our audits. And what I would suggest on the audits is that we have probably in the early fall or maybe late -- late summer, we'll have just an audit meeting when we can be sure that we have all the audits available and have a discussion of just the audits, if that meets with everyone's approval.

Any other motions for this area of Old Business? Hearing none, we'll move on to our first Consent Calendar.

CONSENT CALENDAR

(4) RSA 9:16-a, II, Transfers Authorized:

CHAIRWOMAN WALLNER: This is Tab (4). I know we don't have our books, but it is Tab (4). There are a number of items on this Consent Calendar. Are there any that someone would like to take off? Does anyone have an item they want to remove from the Consent Calendar?

(No response).

CHAIRWOMAN WALLNER: Hearing no motion to take any items off the Consent Calendar, could I have a motion to move the Consent Calendar?

**** SEN. D'ALLESANDRO**: I would move the Consent Calendar, Item (4).

CHAIRWOMAN WALLNER: Thank you, Senator D'Allesandro.

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SEN. ROSENWALD: Second.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves and --

SEN. ROSENWALD: Rosenwald.

CHAIRWOMAN WALLNER: And Senator Rosenwald seconds. Can I ask the -- could I ask Representative Weyler to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes.
Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senate President Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Morse.

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SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

CHAIRWOMAN WALLNER: Thank you, Representative Weyler. The motion passes 10 to 0. Consent Calendar accepted.

***** {MOTION ADOPTED}**

(5) RSA 14:30-a, VI Fiscal Committee Approval Required For Acceptance and Expenditure of Funds Over \$100,000 From any Non-State Source:

CHAIRWOMAN WALLNER: Now we'll move into Tab (5), and this again is a Consent Calendar on -- there are several items on this Consent Calendar. Are there any that people would like to have come off and have discussion about? Hearing no -- hearing no request to remove items off the Consent Calendar, could I have a motion to accept the Consent Calendar?

****** SEN. D'ALLESANDRO: I would move the Consent.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves and --

REP. HENNESSEY: Hennessey seconds.

CHAIRWOMAN WALLNER: Is that -- is that Representative Hennessey?

REP. HENNESSEY: Yes, Madam Chair.

CHAIRWOMAN WALLNER: Representative Hennessey seconds. And I'll ask the Clerk to take the roll.

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REP. WEYLER: I'm writing the names down. Okay.
Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes.
Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senate President Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

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CHAIRWOMAN WALLNER: Motion passes 10 to 0.

*** {MOTION ADOPTED}

(6) RSA 14:30-a, VI Fiscal Committee Approval Required
For Acceptance and Expenditure of Funds Over \$100,000
From any Non-State Source and RSA 124:15 Positions
Authorized:

CHAIRWOMAN WALLNER: Moving on now to Consent Calendar (6). There are two items on this. Is there a request to take one of those off and deal with it individually?

SEN. KAHN: Yes.

CHAIRWOMAN WALLNER: Yes, there is. Which item would you like, Senator Kahn?

SEN. KAHN: Item 103, please.

CHAIRWOMAN WALLNER: Okay. Senator Kahn asks that we take up Item 103 which is Department of Education. Why don't we move the other item which is Office of Professional Licensure and Certification. Is there a motion on that item?

** SEN. D'ALLESANDRO: I would move --

REP. FORD: So moved.

SEN. D'ALLESANDRO: -- that item.

REP. FORD: Ford.

SEN. D'ALLESANDRO: D'Allesandro seconds.

CHAIRWOMAN WALLNER: Okay. Representative Ford moves and Senator D'Allesandro seconds. Any discussion of that item? Hearing none, I will ask the Clerk to take the roll.

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REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes.
Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

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CHAIRWOMAN WALLNER: Motion passes 10 to 0. Thank you, Representative Weyler.

***** {MOTION ADOPTED}**

CHAIRWOMAN WALLNER: And an item that we would like to discuss is item number 20-103, this is a Department of Education item and authorizes -- authorizes to accept and expend \$1.9 million in Federal funds and to establish positions. Do we have someone from the Department of Education with us?

MS. JORDAN: Representative, I have a question.

CHAIRWOMAN WALLNER: Yes.

MS. JORDAN: Caitlin Davis has her hand raised. I can unmute her line.

CHAIRWOMAN WALLNER: I'm sorry, who has their hand raised?

MS. JORDAN: Caitlin Davis.

CHAIRWOMAN WALLNER: Oh, great, Caitlin. Yes, that's -- that's we need. Thank you.

CAITLIN DAVIS, Director, Division of Education Analytics and Resources, Department of Education: Hello.

MS. JORDAN: Caitlin, please go ahead.

MS. DAVIS: Can you hear me?

MS. JORDAN: Yes.

MS. DAVIS: Good morning. For the record, this is Caitlin Davis. I'm a Director at the Department of Education of the Division of Education, Analytics and Resources. And one of the areas that I oversee is the Bureau of Education Statistics which will be implementing this grant.

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CHAIRWOMAN WALLNER: Thank you. Thank you, Caitlin, for coming today. And does the Committee have questions for Miss Davis?

SEN. KAHN: Yes, Madam Chair. This is Senator Kahn.

CHAIRWOMAN WALLNER: Senator Kahn.

SEN. KAHN: Shall I proceed then, Madam Chair?

CHAIRWOMAN WALLNER: Yes, please. Yes.

SEN. KAHN: Start from a position of I fully support what the Department wishes to do with the Statewide Longitudinal Data System. I congratulate them on their application and their successful award of a three-year grant.

My question for Miss Davis as a representative of the Department is the Department's inner speed of as we heard this week 56,000 surveys on remote learning and the request of 176 different Districts for some CARES Act money that is supporting the use of remote learning. And what I'm wondering is this data from both the school districts and parent citizens around the state who completed the survey represents quite a treasure trove of information that could benefit policy development and the Legislature down the road. So I wanted to take this opportunity to inquire what will be the opportunity for the Department to share that information with the Fiscal Committee or the Education Committees of the Legislature in the future?

FRANK EDELBLUT, Commissioner, Department of Education: So Caitlin Davis, this is Frank Edelblut, Commissioner of Education, and that question doesn't really have to do with the SLDS grants, so it might be better if I jump in and respond to that, Senator Kahn, if I may?

SEN. KAHN: Perfect. Thank you.

MR. EDELBLUT: Great. Thank you. So the question is around the data that has been obtained through a survey that was conducted of parents, teachers, and school administrative leaders around the state relative to our work in the STRRT Taskforce which is the School Transition Reopening and Redesign Taskforce. That is a Taskforce that's made up of, just for context, Senator Kahn, for other folks on the phone, that is a Task Force that's made up of about 60 representatives, a broad cross section of constituencies who are represented. They are broken into individual work groups that are focused on specific domains related to the reopening, whether that is instruction, or technology, or student wellness, or operations associated with the school.

We are using an organization to help facilitate that work which is -- is the Region 1 Comprehensive Center is a federally funded advisory resource to FDA and LEAs across the country. It is run by AIR, which is the vendor that the U.S. Department of Education has contracted to do that.

We did run a survey to gather input from these various constituencies across the state and AIR ran that survey for us. We are very excited that we have obtained 56,000 responses to our survey, which is an enormous response rate. And so we're very excited about that.

Preliminary results from those surveys have been shared with the work groups this last week, and they were brought through that information. All of that data is in the possession of AIR and is controlled by the IRB agreement that AIR has with the individuals who completed the survey. So everyone who completed the survey agreed to a certain IRB contract terms as part of entering into and completing the survey. So the data will be governed by the IRB agreement.

So while a great amount of that survey will be available to us, all that information will have to be controlled vis-a-vis that IRB agreement if that helps answer your question.

CHAIRWOMAN WALLNER: Thank you. Further questions.

SEN. KAHN: Yeah. Let me follow-up. Thank you, Madam Chair. So, Commissioner, thank you for the background. There are two sources of information, I guess, I -- you're familiar with the research agreements that you just referenced. Again, there are two sources there. One is the amount of surveys collected. If that information will be shared will there -- with the Legislature, will there be that opportunity and can you give us some sense of timing on that? And the second part of this is that (Inaudible) CARES Act dollars from \$33 million, there was a request by the Commissioner to School Districts to make application for those dollars. So there's a -- there's interest, I think, from legislators, I know that, that in what they -- for funding and whether those items were one-time or reoccurring items that would be helpful for the Legislature to understand relative to additional CARES Act money allocations or future needs that need to be addressed.

MR. EDELBLUT: Great. So two things. Yeah, so appreciate that question. So then what I can tell you is relative to the first question relative to the survey information. Again, we've already shared information with the work groups. Ultimately, all of that information that's been shared with the work groups will be made published -- be made public. I believe even there's a third-party organization that already published the information that was shared with the work group. So that information is up, absolutely available to the Legislature. And if the Legislature desires, you know, at the completion of the STRRT work, we're happy to come before the legislative committee and present that information to them so they can get a good comprehensive look at it, if that's helpful to them.

Relative to the ESSER funds, last Wednesday, so not this week but last week on Wednesday we made those grant applications available to all of our school districts, about 189 school districts or LEAs will be applying for those. As of two days ago, we had three of the grants have been approved, four have been submitted, and we're waiting approval. Forty-seven of the

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Districts had started the grant application process. So just means that they had at some point they logged into the grant application and began to fill out their application to access those funds. And 135 Districts had not yet done, taken any action with respect to accessing those grants funds; but we will continue to monitor schools' access to that.

At the completion of that grant, we have reporting responsibilities back to the Federal Government, which I think is responsive to your question, Senator Kahn. That will categorize the various grant activities that the schools have engaged in. So we will have visibility as to how the schools deployed that money in response to the Corona-19 virus. And we're happy to share that information as well once those grant funds have been used by the Districts.

SEN. KAHN: Madam Chair, if I might just --

CHAIRWOMAN WALLNER: Yes.

SEN. KAHN: -- thank the Commissioner for his response there and, Commissioner, if you can make available those links that we might access today for this, just give us some sense down the road and you can just do that with, you know, some communication back with the Budget Assistant Office. But --

MR. EDELBLUT: So can I just -- I just want to be clear that I'm responsive. Which -- is this the link to some of the STRRT data?

SEN. KAHN: Yes. You just said that there was a summary available --

MR. EDELBLUT: So just to be clear. So what I've heard is that a third party has published that information. I can tell you I personally have not seen that, but I can go look for it and see if it's available. But my understanding is that somebody had published it. But I've not myself seen it. So if I

can -- if there is a public link for that or I can find it I will absolutely share it with the Committee.

SEN. KAHN: Thank you. And, Madam Chair, just --

CHAIRWOMAN WALLNER: Yes.

SEN. KAHN: The transparency of both of these sources of information that I'm just inquiring of the Commissioner and I hear from his answers that as the information's available he'll communicate with us that it is and we'll -- it will save the Legislature from having to make similar inquiries by trying to make use of data that's already been collected. Thank you.

CHAIRWOMAN WALLNER: Okay. Thank you. Further questions for Commissioner Edelblut?

MR. EDLEBLUT: Or Director Davis relative to the SLDS Grant.

CHAIRWOMAN WALLNER: Yes, either. I hear no further questions and thank you, Commissioner and Miss Davis, for being available to us today.

MR. EDELBLUT: Great! Thank you so much everyone.

** SEN. KAHN: Madam Chair, I would move approval of this item.

CHAIRWOMAN WALLNER: And Representative Kahn moves approval. Do we have a second?

REP. FORD: Ford seconds.

CHAIRWOMAN WALLNER: And Representative Ford seconds the motion. And further discussion of the item? Seeing no further discussion, I'll ask the Clerk to call the roll. Thank you.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

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REP. WEYLER: Representative Weyler votes yes.
Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Representative or Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

CHAIRWOMAN WALLNER: Thank you, Representative Weyler. The motion passes 10 to 0.

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*** {MOTION ADOPTED}

(7) RSA 9:16-a, Transfers Authorized and RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over \$100,000 from any Non-State Source, and Chapter 346:223, Laws of 2019, Transfer of Funds for Operation of the Sununu Youth Services Center:

CHAIRWOMAN WALLNER: Like to move on to Tab (7), and this is Department of Health and Human Services item. Do people have questions about this item?

REP. HENNESSEY: Madam Chair, this is Erin Hennessey. I do have a couple questions about this one.

CHAIRWOMAN WALLNER: Okay. Is there someone available from Department of Health and Human Services?

KERRIN ROUNDS, Chief Operating Officer, Department of Health and Human Services: Yes, this is Kerrin Rounds and I'm also here with the Commissioner.

CHAIRWOMAN WALLNER: Thank you, Miss Rounds and Commissioner, for being here. And Representative Hennessey has questions about this item.

REP. HENNESSEY: Thank you, Madam Chair, and thank you for being here to answer my questions. I have questions about the General Funds that are being removed from Behavioral Health. It's \$1 million. Could you go into more detail about what programs will not be done because we're removing those funds?

MS. ROUNDS: Sure. I'm actually going to ask Katja Fox to take that question. She should also be on the line.

KATJA FOX, Director, Division of Behavioral Health, Department of Health and Human Services: Good morning. This is Katja Fox, Director of Division for Behavioral Health. And in

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that item you see the transfer of a million dollars out of Children's Behavioral Health. Those funds were appropriated as part of the budget and were requested by the Department for wraparound services for children, as well as for Children's Mobile Crisis.

What happened after those funds were approved in the budget, as it went through the budget process, is that the SB 14, which is the system of care, the bill that was capped and approved, and the funding for which is in HB 4, invested a significant amount of dollars into the children's system of care, including expansion of wrap-around services, as well as Statewide Integrated Children's Mobile Crisis. And so the million dollars that you see there is -- was set aside and that was an initial investment and the additional funding, which is not being touched as part of this, is going forward.

The account that that million dollars is in is a lapsing account and due to COVID and our broader approach in having a significant more investment, we were unable to take on the RFP process for the limited dollars of -- and I will never call a million dollars limited -- but we weren't able to encumber those dollars.

There are no current services that are going to be cut as a result of this transfer. In fact, if this million dollars isn't transferred to cover other areas of the Department, it lapses. So it's not going to be used either way for Children's Behavioral Health.

Again, we have the additional funding that was significant, and those RFPs and all the process for those programs is now getting under way in a more concentrated way because we have been able to stabilize the mental health system and children's behavioral health system as it had to pivot to adjust COVID.

REP. HENNESSEY: Follow-up, Madam Chair.

CHAIRWOMAN WALLNER: Yes.

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REP. HENNESSEY: Thank you. Thank you, Miss Fox. Can you tell me the funds that you're speaking of that you're sending out RFPs for now? Did those include for the Children's Mobile Crisis Unit or has that already been set up? Could you just expand on that, please?

MS. FOX: Sure, sure. Right now in the system we have three mobile crisis teams that are for adults, and there has been some expansion in Children's Mobile Crisis, but it's not been on statewide model. That is the intent, and we have the funding, and we are moving forward this summer drafting that RFP and then posting it by, hopefully, by early fall as we also concurrently post some of the other services that were part of the SB 14 bill for system of care. So it's all a work in progress.

We were also able to hire some staff as a result of the SB 14 provisions and the funding that was provided in HB 4. Those staff members on-boarded remotely and that's going to help us as we move forward in getting these programs set up and being able to have those services available.

REP. HENNESSEY: Thank you very much.

CHAIRWOMAN WALLNER: Any further questions of the Department concerning this item? I will remind people to use the star -- the 5* that will -- and that way I can be alerted that there's a hand up. Hearing -- hearing -- hearing no other request for questions of the Department, I will ask for a motion on this item.

** SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves and --

SEN. ROSENWALD: I'll second.

CHAIRWOMAN WALLNER: And Senator Rosenwald seconds. Any further discussion of this item? Hearing none, I will ask Representative Weyler to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

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CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

CHAIRWOMAN WALLNER: Thank you, Representative Weyler. The motion passes 10 to 0.

***** {MOTION ADOPTED}**

(8) Chapter 346:46, Laws of 2019, Department of Corrections; Transfer Authority:

CHAIRWOMAN WALLNER: And moving on to the Department of Corrections. This is Tab (8). And we have an item from the Department of Corrections, a transfer of \$5.3 million in General Funds. Is there discussion of this item? Are there questions for the Department?

SEN. D'ALLESANDRO: I wonder, Madam Chair, if someone from the Department could go over the additional piece of information that they sent us that deals with the House -- the hiring and the vacancies and let us know where we're moving in that direction. If someone could address that.

CHAIRWOMAN WALLNER: Okay. Is there someone here from the Department of Corrections?

MS. JORDAN: Helen Hanks has her hand up.

CHAIRWOMAN WALLNER: Oh, yes, Commissioner.

BEN JEAN, Assistant Commissioner, Department of Corrections: Good morning, everyone. Actually, this is Ben Jean, the Assistant Commissioner. I think the phone system flagged me as the Commissioner. I appreciate its gesture but she's on vacation, so.

CHAIRWOMAN WALLNER: Oh, good. She deserves a vacation, I'm sure. And Senator D'Allesandro has some questions about this item.

SEN. D'ALLESANDRO: Thank you, Madam Chair. And thank you, Assistant Commissioner Jean. Thank you. You sent us an additional piece of information regarding the staffing at the institution. And am I correct in reading this that currently there is still 131 vacancies?

MR. JEAN: Yes, Senator, absolutely correct. Yeah, I sent this in response to a few questions that the Committee had raised. But yeah, we're still actively recruiting for 131 security positions, 103 of those being corrections officers.

SEN. D'ALLESANDRO: So the overtime is still the big situation here.

MR. JEAN: Yes. Yeah, the overtime, obviously, is still -- is large, because it's covering those vacancies.

SEN. D'ALLESANDRO: Right. And a further question, if I might, Madam Chair?

CHAIRWOMAN WALLNER: Yes, please, Senator D'Allesandro.

SEN. D'ALLESANDRO: Now, Ben, the new contract that you have signed, do you have enough money within -- within this transfer to cover that, to cover those expenses?

MR. JEAN: Yeah, thank you for the question. Yes, absolutely, we do.

SEN. D'ALLESANDRO: And just one last question.

CHAIRWOMAN WALLNER: Yes.

SEN. D'ALLESANDRO: We have noticed over the years budget, after budget, after budget, that the overtime expenses continue

to rise. Is there -- is there something in place at the present time to expedite the recruitment situation with regard to corrections officers so you can reduce the overtime, have more people, and eliminate the stress on your -- your workforce in terms of this forced overtime?

MR. JEAN: Yes, thank you, again. I mean, we are -- we've been recruiting for many years, like you know, and it's been kind of a struggle to get enough people in. We're still using the M5 marketing firm for recruiting. We recently worked with Police Standards and Training to create a certification bridging program for police officers to become a corrections officers in almost an expedited certification fashion to make it more attractive. We also looked at -- oh, what happens is many people start as correction officers and then promote into other position types within the DOC, and we also work with Police Standards to allow people to maintain their CO certification to help cover some of the -- some of the shifts as, in theory, part-time corrections officers at that point; but we're still actively recruiting.

I know the Commissioner worked with Employment Security to try to -- we're posted as one of the hot jobs for people searching for jobs; but at the same time we're still dealing with the retirement side. So, as you know, the Northern New Hampshire Correctional Facility was opened 20 years ago this year, and many of the positions that were hired for that are all currently eligible or will be within the next two years to retire. So oftentimes even as we bring in new people, we have the people rate of retirements going out.

So we do continue to actively recruit. There were some pay raises in the last couple years that we're hoping -- hopefully will make the entry pay more attractive; but, even so, we are still competing against other law enforcement agencies as well.

SEN. D'ALLESANDRO: Thank you very much, Ben. But what it appears to me is we're still in a zero sum gain here, and this has been going on for a number of years. And the only thing that

we can see is overtime expenses keep going up, and up, and up, and you have to -- you're making these transfers. And I think it just puts a lot of pressure on your workforce.

MR. JEAN: Well, I agree. I would be much happier if the vacancy was zero.

SEN. D'ALLESANDRO: Thank you, Madam Chair. Thank you very much, Commissioner, and thank you for the great work that you're doing over at the prison and recognize the fact that nothing's easy in this life.

MR. JEAN: Thank you, sir.

CHAIRWOMAN WALLNER: Are there further questions from other Members of the Committee?

SEN. KAHN: Madam Chair, Senator Kahn.

CHAIRWOMAN WALLNER: Yes, Senator Kahn.

SEN. KAHN: Thank you, Madam Chair. I appreciate the questions from Senator D'Allesandro; certainly share his remarks and the response from the Assistant Commissioner. Thank you. Good luck in those efforts.

My question is related to COVID-related overtime. We've seen the news that the State facilities were affected with outbreaks that officer absentee was noted. So I'm wondering if that is part of the display in the additional information you provided, and if some of those costs are eligible for reimbursement from various CARES Act allocation?

MR. JEAN: Yes, good morning. Thank you for the question. The -- there are COVID-related costs of overtime in these numbers. I don't have an exact amount here at the time. We're seeking ways to get reimbursement for COVID-related expenses wherever we can. So if that's available, we will. I mean, we did get some impact from COVID. Knocking on wood here the DOC has

been very successful in keeping from having an outbreak. But we did have some staff members that did get COVID which, obviously, put them out as they recovered. And then in the first phase of when COVID was really starting to spread, we had a lot of quarantining of staff who had travelled rather than having them come into work. So there is definitely some COVID-related expenses in a that overtime and we're doing our best to track it and seek reimbursement for it where and if it's available.

SEN. KAHN: Thank you for your response, Assistant Commissioner. And, Madam Chair, I think it's important that as people continue to work with GOFERR and articulate that our State Budget is where it's at. We know. And the availability of these funds to COVID-related funds to be able to cover our institutional overtime expenses ought to be something that we should be able to cover.

CHAIRWOMAN WALLNER: Thank you for those remarks, Senator Kahn. Mr. Jean, I had a question. All of the correctional officers are receiving the additional stipend; is that correct?

MR. JEAN: Correction officers will receive the stipend. We're still, I believe, waiting to receive those funds and then it will be distributed. But, yes, corrections officers, probation/parole officers, and other positions that are identified as corrections line personnel, which means they work inside the secure facility and have direct contact with residents as part of their employment.

CHAIRWOMAN WALLNER: Thank you. And for how long will they receive that stipend?

MR. JEAN: My understanding is that's an eight week stipend, and I've also been updated from our Director of Finance that we've just received the funds, too. So we'll be working on processing those payments.

CHAIRWOMAN WALLNER: Okay. Great. Thank you. Thank you for that information. Any further questions for Mr. Jean? Thank you.

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Thank you, Deputy Commissioner. And do we have a motion on this item?

** SEN. D'ALLESANDRO: I would move the item.

SEN. KAHN: Senator Kahn.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves and Senator Kahn seconds the item. And further discussion? Hearing none. Could I ask Representative Weyler to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes. Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

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REP. WEYLER: Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

CHAIRWOMAN WALLNER: Thank you, Representative Weyler. The vote -- the item passes 10 to 0.

***** {MOTION ADOPTED}**

(9) Chapter 346:328, I, Laws of 2019, Department of Safety Position Reallocation; Appropriation:

CHAIRWOMAN WALLNER: And now moving on to our final tab, Tab (9), final tab of regular business, and this is an item from the Department of Administrative Services. Do Committee Members have questions? Hearing no -- hearing no questions, could we have a motion on this item?

****** SEN. D'ALLESANDRO: I would move the item.

CHAIRWOMAN WALLNER: Senator D'Allesandro moves the item.

SEN. ROSENWALD: Second, Madam Chair.

CHAIRWOMAN WALLNER: And I think that was Senator Rosenwald second.

SEN. ROSENWALD: Rosenwald, hm-hum.

CHAIRWOMAN WALLNER: Thank you. And discussion of this item? Hearing none, I'll ask the Clerk to call the roll.

REP. WEYLER: Representative Ford.

REP. FORD: Yes.

REP. WEYLER: Representative Weyler votes yes.
Representative Hennessey.

REP. HENNESSEY: Yes.

REP. WEYLER: Representative Lovejoy.

REP. LOVEJOY: Yes.

REP. WEYLER: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. WEYLER: Senator Soucy.

SEN. PRESIDENT SOUCY: Yes.

REP. WEYLER: Senator Kahn.

SEN. KAHN: Yes.

REP. WEYLER: Senator Rosenwald.

SEN. ROSENWALD: Yes.

REP. WEYLER: Senator Morse.

SEN. MORSE: Yes.

REP. WEYLER: Representative Wallner.

CHAIRWOMAN WALLNER: Yes.

REP. WEYLER: Madam Chair, the vote is 10 to 0.

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CHAIRWOMAN WALLNER: Item passes 10 to 0. Thank you.

*** {MOTION ADOPTED}

(10) Miscellaneous:

(11) Informational Materials:

CHAIRWOMAN WALLNER: And let's move on to informational items. Do we have items that we would like to have Department people to come up and talk to us about them? I believe -- I know that the Department of Health and Human Services has an item here that they are going to do a presentation about. That is Item 20-125, and other than that one, are there other items we would like to have brought off the agenda and talked about? Okay. I don't hear anyone else.

SEN. KAHN: Madam Chair, Senator Kahn. Sorry. While they're doing that maybe they could address 124 as well.

CHAIRWOMAN WALLNER: Okay. 124. Okay.

SEN. KAHN: Medicaid reimbursement.

CHAIRWOMAN WALLNER: Okay. So hearing no other request, I will ask the Department to come up and give us their presentation on Item 125, which is the 10-Year Plan for mental health services, and then also to comment on Item No. 124. These are just informational items. We don't need to -- we don't need to vote on them. And I do want to remind people, I think that this morning or maybe last night we also received the Dashboard from the Department in our e-mail. So I don't know if people have questions about that. So while we have the Department up if there are questions about the Dashboard, we could probably also address those. So I don't know who's here from the Department.

MS. ROUNDS: Good morning, Madam Chair. This is Kerrin Rounds. Katja Fox is going to do the presentation on Item 125. But regarding Item 124, that is the enhanced Medicaid FMAP that

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we are accepting across the Department. There are several accounting units that Medicaid is budgeted in so that's increasing the FMAP in all of those accounting units, and that's what that item is. I'm not sure --

CHAIRWOMAN WALLNER: I do have a question -- I do have a question about that one.

MS. ROUNDS: Sure.

CHAIRWOMAN WALLNER: So that one will mean that we will actually have some additional General Funds available. And I wondered what the Department's plan is for those additional General Funds?

MS. ROUNDS: The likely plan is to use them for increased caseloads.

CHAIRWOMAN WALLNER: And where are the increased caseloads? Are they in Medicaid?

MS. ROUNDS: Yes, because there are requirements right now in Medicaid that we cannot remove any Medicaid clients. So our caseloads are up because of that, and also because there are additional applicants to Medicaid. We do anticipate that's how those funds will be used.

CHAIRWOMAN WALLNER: Are there further questions about 124? Hearing none, then let's move on to 125 and have Miss Fox do a presentation. Thank you.

MS. FOX: Good morning again. For the record, I'm Katja Fox, Director for the Division for Behavioral Health for the Department. And what you see before you for this item is that we were required to submit to Fiscal a plan for the development of transitional housing beds.

In HB 4 there was \$5 million set aside for the purpose of funding the 40 new transitional housing beds. And these were

specifically targeted for the population that is difficult to -- and complex to find adequate and supportive housing. And so as part of that, I just wanted to state that this was a result of about a year and a half ago when the 10-Year Plan was established, the new 10-Year Plan, and this was an opportunity for us to really prioritize on the 14 recommendations that opened up the 10-Year Plan of what we felt needed to be done in the two-year biennium.

And during the budget process we were able to secure some funding with some different projects. Some of them we talked about earlier for the system of care for children and that was very much part of the 10-Year Plan. In particular, transitional housing is a big need, and we have had a little bit of expansion but not much of an expansion. In the previous biennium were able to expand a little bit.

Right now we have 74 beds that we fund, and those include the transitional housing that I think most people are aware of that is in the Hugh Gallen Complex, as well as beds in Bethlehem, Bradford, and Nashua. We just because of again, COVID, we had to quickly make sure that we had the services in place that we currently have, have in secure those 74 beds. So we are in the process of going through contracting for those beds and that will be going forth before Governor and Council by the end of the month.

With the money that was afforded in this and our plan is that we are going to visit, this is somewhat new, to receive money for construction. Typically, we receive money for services and to procure for services, and this is a little bit different with, again, for construction.

One of the things that is going on at the same time as this in implementing our plan a key component is to seek what is known as an IMD Waiver. IMD is the Medicaid Institution for Mental Disease exclusion that requires that if we want to have a facility that has more than 16 of these types of beds, we need to get approval from the Federal Government, from CMS.

So I just checked in with Henry Lipman, our Medicaid Director, because we had started that process of seeking that waiver, and, again, because of the need to focus on shoring up our safety net providers, we haven't been able to move that forward as quickly as we had hoped. 'Cause that's a key component and will be going on at the same time that we are going through this plan and implementing the plan as called for in the law. And as you can see, the law requires that we have the plan for constructing the beds by January 1st, and then they'll be operational by June 1st of 2021.

So we look forward to the opportunity to be able to use these dollars to meet that need which is being held in the 10-Year Plan and really falls into the category -- actually several categories of the 10-Year Plan in ensuring that people as they are ready to transition out of New Hampshire Hospital actually have some place to go. And I believe our Commissioner in her former role as the CEO of New Hampshire Hospital has spoken quite extensively about this and before legislative committee about those individuals who but for housing could be in the community. And this is a great opportunity for us to be able to achieve that.

CHAIRWOMAN WALLNER: Thank you, Miss Fox.

MS. FOX: And, with that, I'll take any questions.

CHAIRWOMAN WALLNER: Questions? Do Members of the Committee have questions?

SEN. ROSENWALD: Madam Chair, I have decided to raise my hand.

CHAIRWOMAN WALLNER: Oh, Senator Rosenwald. Sorry.

SEN. ROSENWALD: Thank you. I do have a question for Katja, if I could. And, Katja, thank you, and thank you, Kerrin and Commissioner Shibinette, for being here.

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When we were working on the budget and trying to implement the 10-Year Mental Health Plan for it, we worked very hard with Commissioner Shibinette when she was in her former role to fund these transitional beds. And at the time we knew from her that there were somewhere around 40 people at New Hampshire Hospital who didn't really need hospital level of care, but were there because there was no safe, supportive place in the community. So it seems to me like we already knew that those 40 transitional housing beds would be -- the priority would be to open them for people transitioning out of New Hampshire Hospital. So I guess my question is why the Department undertook this work again, and I'm looking at the plan over two paragraphs. Wasn't this something we had already known?

LORI SHIBINETTE, Commissioner, Department of Health and Human Services: Thank you for the question. This is Commissioner Shibinette. We actually worked hard even before this standing up new transitional housing beds. If you recall, the transitional housing beds in Nashua, we opened those 14 beds after I had started at New Hampshire Hospital. So maybe just two years ago. We also expanded transitional housing beds into Bradford. So the work to expand transitional housing beds has been going on since -- since I started at New Hampshire Hospital, so three or four years ago. I've lost track of time. COVID does that to me. So I think it's been about three years.

This was further expansion of the beds -- of transitional housing beds or community residences. And, you know, as much as COVID has delayed a lot of programs for a variety of reasons from everything from recruitment to staff, to being able to stand up a program that is able to admit people, all of those -- all of those issues around COVID significantly impacts our ability to move forward because congregating people in a residential home of any kind puts people at higher risk. Because any time you put six, seven, eight people that can't socially distance, it creates a problem. And we've had actual COVID cases at some of our transitional housing beds around the state. So, you know, delaying that stand up, and, you know, our intent

originally was to -- to RFP transitional housing beds with the RFP that just went out.

So I think we are well on our way. I think that the transitional housing beds that are going to be stood up in the coming months are going to look different. I think that it's going to be a variety of things from expansion of some of our community residences that we currently have to probably some new buildings. I think that there's -- there's a lot of good discussion around and a lot of interest around expanding this program area that is needed. The New Hampshire Hospital waiting to discharge list has run from about 45 right up to 65 or 70, depending on the time of year.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN WALLNER: Further questions for the Department? Seeing none. Thank you, Commissioner, and Miss Rounds, and Miss Fox, for being with us today. And we do have the Dashboard. Thank you for providing that to us. And do we have any questions on the Dashboard?

SEN. D'ALLESANDRO: I just found it a little hard to read. The printing is just so -- so miniscule that with these -- with these older eyes it's very tough to get to digest some of those numbers.

MS. SHIBINETTE: Thank you, Senator. This is the Commissioner. Our plan in the coming months is to -- to really redo that Dashboard. We've just been -- we've been relocated over at the EOC for several months now. So once we all get back to Brown and get back to business as usual, we will revamp that Dashboard so, hopefully, it will be easier for you to read.

SEN. D'ALLESANDRO: Well, thank you very much, Commissioner. And I think there should come a time at our meetings when you actually run through that Dashboard for us, because the discrepancies that appear need amplification and you and your staff are the only ones that can do that.

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CHAIRWOMAN WALLNER: Thank you. Maybe we can plan for the July -- for the July meeting maybe we'll plan that, the Department, if they have the time to go through the Dashboard with us. That might be helpful.

SEN. D'ALLESANDRO: Thank you, Madam Chair, I think that's a great suggestion.

CHAIRWOMAN WALLNER: Thank you. And thank you, Commissioner, and thank you for all the -- all the work you and your staff have been doing; difficult, very difficult work and difficult times so we appreciate it. Any other things that we want to discuss with the Department of Health and Human Services?

MS. JORDAN: Senator Rosenwald has a question.

CHAIRWOMAN WALLNER: Yes, Senator Rosenwald.

SEN. ROSENWALD: Thank you, Madam Chair. I do have a question on the Dashboard. I noted that the number of nursing home residents had increased; and so my question is are all of our nursing homes in the state admitting new residents now or do we have any that have stopped new admissions because of the COVID pandemic?

MS. SHIBINETTE: Thank you for the question. This is the Commissioner. We -- we have quite a few nursing homes that are not admitting currently. Anybody that -- any facility that is in a current outbreak with COVID able to do admissions during COVID that number has ranged anywhere from 12 facilities right up to 19 facilities. And then there are a variety of nursing homes that just have decided that due to the risk of introducing new people into their population that they are not going to do new admissions.

So we are hoping that as start easing some restrictions that they will start doing more admissions, because it really

does create a backlog. Because people that are in hospitals waiting to go to nursing homes are not able to go, so then they're taking up a hospital bed. So there is quite a few nursing homes in the state that are currently not doing admissions.

SEN. ROSENWALD: Thank you.

CHAIRWOMAN WALLNER: Any further questions for the Commissioner, Miss Rounds? Thank you, again, for being with us. We appreciate the time.

(12) Date of Next meeting and Adjournment.

CHAIRWOMAN WALLNER: And if there are no other items on the -- on the agenda that people would like to -- Committee Members would like to discuss, I think the last thing we have is setting a date for our next meeting. And we have been meeting on the second Friday of the month, and that in July would be July 10th. And we will meet at 8:00 a.m. -- I'm sorry, 10:00 a.m. We won't meet at eight. We'll meet at 10:00 a.m. on July 10th. And any other items of business to come before the Fiscal Committee?

SEN. D'ALLESANDRO: Just a quickie, Madam Chair, if I might?

CHAIRWOMAN WALLNER: Yes.

SEN. D'ALLESANDRO: I understand that Perry Plummer is leaving State employment. I would like to (Inaudible) him for the great work that he's done in orchestrating the activities dealing with this pandemic. He's been a valuable resource, a wonderful State Employee and I think a real credit to our state. So I wish him the very, very best in whatever he plans to do, and it will be tough to replace Perry Plummer, I can tell you that. Thank you, Madam Chair.

CHAIRWOMAN WALLNER: Yes. Thank you for bringing that up. And I know Mr. Plummer has been a valuable, valuable State Employee, and he will be missed, I'm sure.

REP. WEYLER: I will echo those comments as well.

REP. FORD: Yes.

SEN. D'ALLESANDRO: Thank you, Ken.

CHAIRWOMAN WALLNER: I think the whole Committee would agree that he's been quite a value for our state and we really appreciate all that he's done for us. Hum -- and seeing no other items to come before the Fiscal Committee, I'll adjourn the meeting. Thank you.

(The meeting adjourned at 11:08 a.m.)

CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcript from my shorthand notes taken on said date to the best of my ability, skill, knowledge and judgment.

Cecelia A. Trask

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