

Executive Council Meeting Report

Meeting March 7, 2018

Transformation of DCYF – our breakfast topic.

Councilor Pappas hosted the Council breakfast at the Department of Health and Human Services offices in the Thayer Building and arranged for an extensive briefing by the Division of Children, Youth and Families (DCYF).

Deputy Commissioner Thomas Pristow, Associate Commissioner for Human Services and Behavioral Health Christine Tappan, and Joe Ribsam, Director of DCYF, provided the Council with an overview of DCYF operations and shortcomings that have been evident for some time. They also described their efforts to innovate, gain more resources, and work with a cooperative legislature to improve our child health and safety practices.

New Hampshire's child health and safety laws and practices are currently focused upon families where abuse and neglect have been detected rather than intervening early to prevent abuse and neglect. New Hampshire's ever increasing foster care roles evidence the State's focus on the most horrific end of the process, when a child must be removed from the home, rather than focusing on families' efforts to strengthen their skills and providing supportive resources when necessary (and available). From 2010 through 2015 the number of children in care was steady at about 600 to 650 children per year. In 2016, the number of children in care climbed to 765 and by the beginning of 2018, the number was 1246. Of course, some of the growth in children in care may be a product of the opioid abuse epidemic, but some of the climb is a product of the focus on abuse and neglect, rather than early intervention. As the number of children in care climbed, there was a commensurate increase in the burden placed on child protection social workers and others to work with families in crisis. The presenters somewhat euphemistically blamed budget cuts that hollowed out the number of social workers and the services available to families on "the recession" without mentioning the extreme and misguided anti-government orientation of the legislature in the 2010-2012 period.

The planned DCYF approach to transformation will work across three key program areas as summed up by the presenters:

a. Prevention: "Local communities know best what children and families need to be resilient in times of stress." The Department is working to "reinstitute incentive funds to support local needs and opportunities to strengthen families, reduce child abuse and neglect, and decrease unnecessary calls to DCYF intake."

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b. Voluntary Services: “Strengthen families through community-based resources where there are identified concerns.” The Department will “leverage the new ‘unfounded with reasonable concerns’ finding [available to assessment staff] by ensuring these families have access to quality services in their community.”

c. Foster Care and Specialty Supports: “Enhance the quality of foster care experience for children, their parents, relatives, and foster parents with more robust staffing, rate increases, and specialty services.”

For more information, you may also review this news article:

<http://www.concordmonitor.com/Capital-Beat-At-DCYF-new-hires-starting-to-make-a-dent-16097363>

A. Agenda Items of Note

Loan Guarantee for Bio-Laboratories, Inc. of Salem.

The Council voted 4-1, Councilor Wheeler dissenting, to approve a loan guarantee up to 75% of a \$2 million loan to be issued by Eastern Bank to be used for expansion of this bio-manufacturing business.

Pennichuck BFA Tax Exempt Bonds

The Council approved the issuance of a \$32.5 million tax exempt bond offering to benefit Pennichuck Waterworks projects located in the southern and central parts of the state. The tax exempt bonds do not place the state’s credit at risk as loan guarantees do.

Medicaid Expansion

The Council gave approval for the Department of Health and Human Services to accept and expend a \$13 million grant from the Centers for Disease Control to upgrade our New Heights eligibility and verification program for continuation of expanded Medicaid. The grant afforded me the opportunity to inquire about the proposed work requirement being discussed in the legislature. In particular, I asked Commissioner Meyers about the costs of a work requirement in an effort to determine its efficacy. The Commissioner explained that he has a five-person team from Deloitte Touche in his department trying to determine the costs and consequences of a work requirement. The estimate of costs for a manual system to determine eligibility and verification is to be provided to the legislature by January 1, 2019. The system must be automated, using New Heights, by July 1, 2020. Community engagement about the work requirement and other aspects of continuing expanded Medicaid is to commence in January 2019.

Hope for Recovery Contract

The Council approved a \$600,000 contract to Hope for Recovery, \$150,000 of which was retroactive for services already provided and the

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remainder of which will be used to keep centers open in Berlin and Franklin, as well as to fund the largest center in Manchester. This was one of my most difficult votes as an Executive Councilor. The services are needed, but the provider is questionable. I reluctantly voted to approve the contract, but did so only upon the direct personal representation made by Commissioner Meyers to carefully monitor the program and to report monthly to the Council on its contractual compliance.

Hope for Recovery is one of a number of organizations that provide important peer-to-peer recovery services to persons suffering with addictions. The program has failed to comply with a number of provisions of a prior contract, one of which required Hope to bill Medicaid for eligible services. Programs that bill Medicaid must have the capacity to collect and report data to determine if their clients are well-served. These programs must also provide documented supervision of its peer counselors who are often in recovery themselves.

In an audit of Hope by the Department released just days before our vote, Hope was found not to have provided structures that may be ordinarily expected of a treatment organization, some of which Hope was obligated by contract to provide. In questioning Commissioner Meyers, it became clear that other peer-to-peer programs, particularly the 10 or so run by Harbor Homes of Nashua, provide the structures around Medicaid billing that Hope lacks and, when pressed, Commissioner Meyers acknowledged that the contract going forward for Hope no longer requires Medicaid billing. The Commissioner offered as consolation, however, that the contract was for only a short duration and was focused upon regions of the state that would struggle to find a replacement for Hope. The Governor also responded to these concerns pointing out that Hope was the only peer-to-peer provider in Berlin, neglecting to mention programs in Gorham and Littleton that could have been approached with a request to staff a program in Berlin.

Portrait of Executive Councilor Dudley Dudley

In a unanimous vote, for which I am quite grateful, the Council voted to consent to the display of the portrait of Dudley Dudley in the state house. Elizabeth Muzzey, the director of the Division of Cultural Services, will now decide an appropriate place for the portrait to be displayed given former Councilor Dudley's contributions to the state and breaking of the 200+ year gender barrier as the first woman to be elected to the Executive Council. The portrait is temporarily on display on the second floor of the State Library in Concord.

B. Nominations and Confirmations

The following nominees were confirmed:

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Chief Justice, New Hampshire Supreme Court
Robert J. Lynn, Windham

Assessing Standards Board
(Municipal official of town with population greater than 3,000) Paul J. Brown,
Newport

Board of Mental Health Practice
(Public Member) Paul F. Barry, Exeter

Dir. of the Division of Administration, Dept. of Safety
Steven R. Lavoie, Allenstown

Dir. of the Division of Motor Vehicles, Dept. of Safety
Elizabeth A. Bielecki, Bedford

Dir. of the Division of State Police, Dept. of Safety
Christopher J. Wagner, Litchfield

Lottery Commission
J. Christopher Williams, Nashua

Site Evaluation Committee
(Public Member) Susan V. Duprey, Concord

State Commission for Human Rights
Alex Samuel, Derry

C. Spotlight

\$15 an Hour

At my request, the state's agencies began reporting the lowest rates of compensation paid by state vendors to their employees on the contracts in question. The following contractors were approved with the pay scales noted:

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

[#39](#) Authorize the Division of Parks and Recreation to enter into a contract with K.S. LLC General Contracting, Mason, NH, for the construction of a new Ski Patrol Hut at the Cannon Mountain Ski Area, in the amount of \$164,400. *K.S. LLC General Contracting reports a lowest wage of \$15 for its employees.*

NOTE: Not all departments submitted wage data before this report was distributed. Missing data will be added to the next report.

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D. Next Meeting

Our next regularly scheduled Executive Council meeting will occur on March 21, 2018, beginning at 10 a.m. in Council Chambers at the State House. The agenda for the meeting will be posted by the Secretary of State on the Executive Council web page late on the preceding Friday afternoon.

<http://sos.nh.gov/GC2.aspx>

Councilor David Wheeler will host the Council breakfast which anyone may attend. It will be held at the New Hampshire Lottery Commission, beginning at 8:00 a.m.

E. Items of Interest to District Two, by Region

Region 1-Monadnock Region

DEPARTMENT OF TRANSPORTATION

#24 Authorize the Bureau of Planning and Community Assistance to enter into a contract with Upper Valley-Lake Sunapee Regional Planning Commission, Lebanon, NH, in the amount of \$100,000 to undertake certain transportation related planning activities. Effective upon G&C approval through June 30, 2019. 100% Federal Funds. **Unanimous.**

Region 2-Merrimack County

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Drug and Alcohol Services

#16 Authorize to amend a sole source agreement with Foundation for Healthy Communities, Concord, NH (originally approved by G&C on 7-13-16, item #6B), for the purpose of expanding the State's capacity to provide office-based Opiate Treatment, including the use of medications to NH residents experiencing opioid addiction, by increasing the price by \$1,056,000 from \$,800,000 to an amount not to exceed \$2,856,000, and by extending the completion date from June 30, 2018 to June 30, 2019. 80% Federal, 20% General Funds. **Vote 4-1, Councilor Wheeler = No.**

#16B Authorize to enter into a **retroactive sole source** agreement with Friends of Recovery, NH, d/b/a Hope for NH Recovery, Manchester, NH, to provide Peer Recovery Support Services, in an amount not to exceed \$600,000. (2)Further authorize to make an advance payment of \$150,000 to Friends of Recovery NH, d/b/a Hope for NH Recovery, to be used for program operations and staffing activities to provide Peer Recovery Support Services. Effective March 1, 2018 through February 28, 2019. **64.75% Federal, 35.25% General Funds. Unanimous.**

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DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#31 Authorize to enter into a grant with the NH Plant Growers Association, Concord, NH, in the amount of \$44,500 to implement the Plant Something NH program to encourage with purchase and planting of materials from NH growers. Effective upon G&C approval through September 1, 2019. **100% Federal Funds – Specialty Crop Black Grant. Vote 4-1, Councilor Wheeler = No.**

DEPARTMENT OF CORRECTIONS

#35 Authorize to accept and expend funds in the amount of \$900,000 received from the NH Department of Health and Human Services, which will provide funding for substance use disorder case management services to the residents of the Shea Farm Transitional House and Funding will also provide any individual reentering the community from a NH Department of Corrections facility the accessibility to and instruction on administering Naloxone. (2)Further authorize to establish one full-time temporary Program Coordinator, LG 26, in class 059, for the purpose of Re-Entry Care for the NH Department of Corrections, Division of Community Corrections in support of the federally funded State Targeted Response to the Opioid Crisis sub-grant. Effective upon G&C approval through June 30, 2019. 100% Transfer From Other Agency (DHHS). Fiscal Committee approved. **Unanimous.**

Region 3-Strafford County

DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#32 Authorize the Division of Pesticide Control to enter into a retroactive Cooperative Project Agreement with the University of NH Sponsored Programs Administration, Durham, NH, for the advancement of pesticide education in NH, in the amount of \$15,120. Effective upon G&C approval through September 30, 2018. 100% Agency Income. **Unanimous.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#42 Authorize to award a **sole source** agreement to the University of NH, Sponsored Programs Administration, Durham, to document and evaluate data management, in the amount of \$119,963. Effective upon G&C approval through September 30, 2020. **100% Federal Funds. Unanimous.**

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