

Amendment to HB 642-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to budget flexibility for services for the developmentally disabled.

4

5 Amend the bill by replacing all after the enacting clause with the following:

6

7 1 New Section; Services for the Developmentally Disabled; Budget Flexibility. Amend RSA 171-
8 A by inserting after section 1-d the following new section:

9 171-A:1-e Budget Flexibility.

10 I. For persons with approved budgets older than 24 months who require additional funds to
11 carry out the services required in their individual service agreement, due to additional expenditures,
12 such as cost-of-living or other wage and compensation increases, area agencies and authorized
13 agencies may seek additional funds from the department for such funding needs. The department
14 shall allocate existing budget appropriations as set forth in RSA 171-A:8-b as required to meet such
15 funding needs, provided the requested expenditures would promote efficiency, economy, and quality
16 of care pursuant to section 1902(a)(30)(A) of the Social Security Act.

17 II. The department shall record and track all requests for funding under this section
18 including, but not limited to, the amount of each request, the reason for the request, whether the
19 request was approved and, if denied, the reason for denial. Upon approval of a funding request, area
20 agencies and authorized agencies shall record, and provide the department with, details of the
21 expenditure of such funds, including, but not limited to, the amount of additional funds that are paid
22 to direct support providers, and all details of how the funding is allocated to the person's services
23 and service providers.

24 2 Prospective Repeal. RSA 171-A:1-e, relative to budget flexibility for services for the
25 developmentally disabled, is repealed.

26 3 Contingency; Effective Date of Repeal. Section 2 of this act shall become effective on the date
27 the commissioner of the department of health and human services, after consultation with the joint
28 legislative oversight committee on health and human services established in RSA 126-A:13, certifies
29 the full implementation of the developmental services rate redesign to the director of legislative
30 services and the secretary of state, provided that section 2 shall take effect not later than July 1,
31 2025.

32 4 Effective Date.

Amendment to HB 642-FN

- Page 2 -

- 1 I. Section 2 of this act shall take effect as provided in section 3 of this act.
- 2 II. The remainder of this act shall take effect upon its passage.

Amendment to HB 642-FN
- Page 3 -

2023-1533s

AMENDED ANALYSIS

This bill grants the department of health and human services flexibility to use existing budget appropriations to cover service cost increases under certain circumstances for services for the developmentally disabled.