DRAFT PROPOSED AMENDMENT TO HB 642-FN- AS AMENDED BY THE HOUSE

Amend the bill by revising the title to read as follows:

AN ACT relative to [~~wait list registry and~~] budget flexibility for services for the developmentally disabled.

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

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

171-A:1-e Budget Flexibility. For persons with approved budgets older than 24 months who require additional funds to carry out the services required in their individual service agreement, due to additional expenditures such as cost-of living or other wage and compensation increases, area agencies and authorized agencies may seek additional funds from the department for such fundingneeds. The department shall allocateexisting budget appropriations as set forth in RSA 171-A:8-b as required to meet such funding needs, provided the requested expenditures would promote efficiency, economy, and quality of care pursuant to 1902(a)(30)(A) of the Social Security Act. The department shall record and track all requests for funding under this section including, but not limited to, the amount of each request, reason for the request, whether the request was approved and, if denied, the reason for denial. Upon approval of such funding request, area agencies and authorized agencies shall record, and provide the department with, details of the expenditure of such funds, including, but not limited to, the amount of additional funds that are paid to direct support providers, and all details of how the funding is allocated to the person’s services and service providers.

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 RSA 171-A:1-e, relative to budget flexibility for services for the developmentally disabled, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect July 1, 2025, or on an earlier date, if after consultation with the joint legislative oversight committee on health and human services established in RSA 126-A:13, the commissioner of the department of health and human services certifies full implementation of the developmental services rate redesign to the director of legislative services and the secretary of state.

II. The remainder of this act shall take effect upon its passage.