

Amendment to HB 238

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

2

3 1 Developmental Services Quality Council RSA 171-A:33 is repealed and reenacted to read as
4 follows:

5 171-A:33 Developmental Services Quality Council Established; Membership; Duties.

6 I. There is established the developmental services quality council to provide leadership for
7 consistent, systemic review and improvement of the quality of the developmental disability and
8 acquired brain disorder services provided within New Hampshire's developmental services system.
9 At least 51 percent of the members of the council shall be individuals with disabilities served by the
10 system or parents of individuals served by the system. The members of the council shall be as
11 follows:

12 (a) The commissioner of the department of health and human services, or designee.

13 (b) A representative of People First of New Hampshire, appointed by such organization.

14 (c) A representative of Advocates Building Lasting Equality in New Hampshire (ABLE
15 NH), appointed by such organization.

16 (d) A representative of the New Hampshire council on autism spectrum disorders who
17 shall be either the individual who has an autism spectrum disorder or the family member of a person
18 who has an autism spectrum disorder, appointed by the council.

19 (e) A representative of the Brain Injury Association of New Hampshire, appointed by the
20 association.

21 (f) Two representatives of the New Hampshire Developmental Disabilities Council, at
22 least one of whom shall be a person with a developmental disability, appointed by the council.

23 (g) Three representatives of local Family Support Councils, appointed by the state
24 Family Support Council.

25 (h) One direct support professional and one enhanced family care provider, appointed by
26 the New Hampshire Developmental Disabilities Council.

27 (i) Three representatives of area agency boards of directors including at least 2 persons
28 with a developmental disability or family members of such persons, appointed by the Community
29 Support Network Incorporated.

30 (j) A representative of the Community Support Network Incorporated, appointed by such
31 organization.

32 (k) A representative of the Private Provider Network, appointed by such organization.

Amendment to HB 238

- Page 2 -

- 1 (l) The director of the Institute on Disability, University of New Hampshire, or designee.
2 (m) A representative of the Disability Rights Center - NH, appointed by the center.
3 (n) Up to 5 additional members, nominated by the council and appointed by the
4 governor.

5 II. The groups represented under paragraph I are encouraged to provide, according to their
6 ability, the in-kind and other resources necessary for the council to succeed. The council may
7 request information and analysis on quality from the department of health and human services, area
8 agencies, and providers. The council shall have access to all non-confidential information on quality
9 for services funded all or in part by public funds.

10 III. The council shall regularly review information on the quality of developmental services
11 in New Hampshire and make recommendations for improving service quality and the quality
12 assurance and continuous improvement systems, including but not limited to:

13 (a) Standards of quality and performance expected of area agencies and provider
14 agencies.

15 (b) Types of data to be collected, analyzed, and disseminated to determine whether
16 standards are being met.

17 (c) Quality assurance and oversight mechanisms to be used to gather data and
18 information.

19 (d) Content, frequency, and recipients of quality evaluation and improvement reports.

20 (e) Expectations and procedures for following up on identified areas where
21 improvements are needed.

22 (f) Structures, policies, rules, and practices, including staffing or organizational changes,
23 to ensure that the developmental services system works as intended in RSA 171-A:1, including:

24 (1) Ways of supporting values-based and person-centered service planning and
25 provision, as well as problem solving, innovation, and learning;

26 (2) Recognizing and disseminating what is working well (best/model practices);

27 (3) Significant changes proposed by the department relating to, or which may impact
28 any of, the practices, policies, standards, rates, budgets, funding formulae, or rights pertaining to
29 eligibility or provision of supports and services under RSA 171-A; and

30 (4) Reviewing, interpreting, and disseminating data and information on a regular
31 basis to bring about transparency for all stakeholders and the public.

32 IV. The council shall make an annual report beginning on November 1, 2010 that includes
33 its recommendations and an assessment of the actions taken in response to previous
34 recommendations to the governor, the speaker of the house of representatives, the president of the
35 senate, the members of the house committee on health, human services and elderly affairs and the
36 members of the senate committee on health and human services.

Amendment to HB 238

- Page 3 -

1 V. The meetings shall be convened by the chair or vice chair of the council or commissioner
2 of the department of health and human services, or designee, and shall meet regularly as
3 determined by the council. The meetings shall be open to the public and subject to the provisions of
4 RSA 91-A, the right-to-know law. The council may establish bylaws for governing its meetings,
5 decisions, and other operations. For the purpose of convening council meetings in compliance with
6 RSA 91-A, a quorum of the council shall be a majority plus one member of the appointed members of
7 the council. Members who are not able to be physically present at council meetings due to their
8 disabilities or the disability of a family member shall be counted as attending "in person" for the
9 purpose of the establishment of a quorum provided that each member participating electronically or
10 otherwise is able to simultaneously hear and speak to each other council member during the
11 meeting, and shall be audible or otherwise discernable to public in attendance at the meeting's
12 location. Any member participating in such fashion shall identify the persons present in the location
13 from which the member is participating.

14 2 Effective Date. This act shall take effect 60 days after its passage.

UNAPPROVED