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STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
NEW HAMPSHIRE HOSPITAL

Lori A. Shibinette  
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November 22, 2022

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Pursuant to RSA 21-I:54, **Retroactively** authorize the Department of Health & Human Services, NHH -- Administration, to continue one full-time temporary Program Assistant II, Position #8T3050, salary grade 15, effective retroactive to January 7, 2022, upon Governor and Council approval through January 6, 2024. 85% General Funds, 15% Other Funds.

Funding is available in account NHH Administration as follows:

	<u>FY2023</u>	<u>FY2024</u>
05-95-094-940010-84000000-050-500109 Personal Service	\$37,596	\$39,098
05-95-094-940010-84000000-060-500602 Benefits	<u>\$16,753</u>	<u>\$16,953</u>
<b>Total Salaries &amp; Benefits</b>	<b>\$54,349</b>	<b>\$56,051</b>

**EXPLANATION**

The Program Assistant II, Position #8T3050, ended on January 6, 2022. This request to extend past January 6, 2022, is **Retroactive** because it was missed due to an administrative oversight. The position is assigned to legal services, which oversees patients' administrative rights pursuant to RSA 135-C, He-M 609 and He-M 306. The position is still filled and necessary to provide legal services to NHH.

The Program Assistant II position is a critical position, as it is responsible for assisting in creating and filing timely probate commitment petitions, which has a statutory deadline. The incumbent is also responsible for obtaining criminal case summaries that are requested by the social work department. This is a critical task in assisting social workers in finding appropriate placement for patients outside of NHH. The incumbent is also tasked with providing clerical duties for the legal department and NHH. Due to the recent Doe decision, which ruled that the Department "has a duty mandated by statute to provide for probable cause hearings within three days of when an involuntary emergency admission [IEA] certificate is completed," the legal department is even busier than it was prior to this decision. Consequently, one of our other staff is solely tasked with preparing and tracking IEA petitions for the entire State, and is not available in assisting with the responsibilities assigned to the Program Assistant II position.

Your favorable consideration of this request would be greatly appreciated.

Respectfully submitted,

*Lori A. Shibinette*  
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Commissioner