



# State of New Hampshire

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## **Child Advocate releases addendum to 2020 report on restraining and secluding children.**

**Concord, NH-** The Office of the Child Advocate released an addendum to their *System Review 2019-01: Restraining and Secluding Children* issued in January 2020 today. Focusing on restraints, the addendum examines the impact of the previous review, highlighting promising system changes and initiatives to eliminate the use of restraints on children placed in residential programs by the Division for Children, Youth and Families.

Moira O'Neill, the Child Advocate, noted, "This marks the first time restraint use has been examined by individual child experience, patterns and trends in the practice, and inconsistencies in reporting. With the power of data we can understand what is happening with individual children and adjust treatment or routine for safer care."

Restraining children, which is governed by state law RSA 126-U due to the dangerous nature of the practice, has demonstrated persistently downward trends over the past six years in New Hampshire. "We are making good progress, O'Neill noted, "but we are not at the point of total elimination as hospitals and long term care facilities have done under reimbursement restrictions by the Centers for Medicare and Medicaid Services." The Office of the Child Advocate received 1,484 reports of restraint incidents between December 2019 and November 2020 involving 163 children. Restraint incidents ranged from one to 157 minutes in duration. Children are more likely to be restrained at times of transition – getting up and ready for school, coming home from school, and getting ready for bed. "This kind of information will be helpful in identifying triggers that affect behavior and enhancing coping strategies for the children," O'Neill explained, "No child wants to be dysregulated or restrained." Reported use of prone-positioned restraint persists in two facilities under disagreement about the legality of that practice.

The addendum highlights changes in the system of care that will reduce the number of children being institutionalized and placed at risk for restraint. The Child Advocate applauded the new procurement process for residential providers that will require trauma-sensitive care and programs designed to eliminate the use of restraint. "The reporting system is still burdensome and inadequate," O'Neill said, "however the Department has demonstrated intent to improve the care of children and eliminate the use of restraints on children."

Pursuant to NH RSA chapter 21-V, the Office of the Child Advocate provides independent oversight to ensure that children involved with a state agency, and in particular, children served by the child welfare or juvenile justice systems, receive timely, safe, and effective services and that their best interests are being protected.

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