



State of New Hampshire

Office of the Child Advocate

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FOR IMMEDIATE RELEASE – July 20, 2020

Child Advocate applauds passage of Child Protection Omnibus Bill as a monumental step for New Hampshire's children

Concord, NH- The Child Advocate lauded the effort of the legislature, and the governor for passing into law House Bill 1162. Citing the complexities of legislating and leading in the midst of a global pandemic, Child Advocate Moira O'Neill said the Child Protection Omnibus Bill represents New Hampshire's best work on behalf of children in tough times.

When the legislative session was interrupted by the COVID-19 pandemic, the New Hampshire Senate quickly responded by combining several bills addressing essential support and protection for children. “This broad-reaching bill reinforced a system that will embrace children from birth through their childhood ensuring they are safe, and that they and their families have all they need for healthy development”, said O'Neill.

O'Neill noted that above all, the bill states definitively that the child is the primary consideration of the Court in all child protection proceedings. It also creates a rebuttable presumption that a child's health has suffered or is likely to suffer serious impairment by exposure to misuse of substances, domestic violence, and psychological maltreatment. O'Neill noted that psychological maltreatment is the most common form of maltreatment, yet it is rarely founded. This bill will equip the Division for Children, Youth and Families (DCYF) with the means to better protect children and build healthier relationships to sustain families as well as children.

The bill further ensures access to critically needed early intervention services for children with developmental disabilities, including those exposed to substances at birth and other adverse childhood experiences. “While parents recover, they must also learn all they can about child development and how best to nurture children with high risk for interrupted development,” O'Neill said. “The State helps and protects children when the State supports parents,” O'Neill continued, “The omnibus bill also ends the imposition of financial hardship parents experience when held responsible for court-ordered services intended to mitigate needs that are too often manifested by parental financial limitations in the first place.” Children will also benefit from the advice of counsel when placed in institutional settings. “Children placed in institutions far from family and community are most at risk,” O'Neill said. Having the right to counsel is a great gesture of respect for children and will ensure children are not forgotten behind closed doors. Moreover, the bill also provides that if a minor is committed to the department for the remainder of his or her minority, the minor shall be referred to an independent care management entity for careful assessment and planning to reduce that period of commitment.

The original bill on which the omnibus was built by amendment succeeds in expanding categories of individuals eligible to adopt children. “Above all else,” O'Neill said, “children desire families. This bill gives everyone the chance to have one.”

The Office of the Child Advocate is also strengthened in this broad-reaching, critical bill, to promote transparency and accountability in state actions on behalf of children. The Office's services will now be available to any child being served by state systems, not just DCYF. "We will no longer have to wait for a child to be abused, neglected or adjudicated before we may stretch out a hand to help," said O'Neill. This change is consistent with the path New Hampshire is on to provide care and services in prevention of harm. Today New Hampshire steps forward and reaches out to all children with a promise of respect, dignity, safety, and trust in their best interest.

Pursuant to NH RSA 170-G:18, the Office of the Child Advocate provides independent oversight of DCYF to assure that the best interests of children are being protected.

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