

NH Public Radio – May 3, 2017

Sexual Violence Funding Takes Over Conversation at N.H. Senate Budget Hearing

By Paige Sutherland

The House Chamber was packed Tuesday with people advocating for what they say should be the state's spending priorities. Hundreds of people came to the State House Tuesday to advise Senate budget writers on how to craft New Hampshire's next two year spending plan. People advocated for more money for developmental disability services, substance abuse treatment, mental health – even tourism.

But for the first two and a half hours, the conversation focused largely on one topic: funding for domestic and sexual violence prevention and treatment. The Senate Finance Committee heard from advocates and victims asking for a million dollar increase from what Governor Chris Sununu proposed in his budget plan. Also testifying was former state Republican Party chair Jennifer Horn, who said when her daughter was sexually assaulted at 19, she didn't have access to the services she needed.

"Our budget is going to be around twelve billion dollars when all is said and done. A million dollars is eight-thousandths of one percent of that," Horn told the committee. "How we allocate funds as a state tells the world who we are as a people." Sununu's budget proposal funds services for domestic and sexual violence prevention and treatment at the same level as last year. According to advocates, spending on these programs has not been restored since being cut six years ago – forcing crisis centers statewide to turn away thousands of people each year.

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Sununu Asks CEO of N.H. Hospital to Step Down Amidst Staffing Shortages

By Paige Sutherland

State officials said Wednesday that New Hampshire Hospital had been short-staffed in recent months, and blamed the shortage on Dartmouth Hitchcock which provides nursing care at the state's acute psychiatric hospital. A review this week found that Dartmouth Hitchcock was two psychiatrists short of fulfilling its \$36 million a year staffing contract awarded by the state last fall. But this shortage went unnoticed due to a clerical error. Something Gov. Chris Sununu says was the fault of both Dartmouth-Hitchcock and New Hampshire Hospital. "It's troubling, it's disappointing but it is something that just requires immediate action, which we've taken," Sununu said Wednesday in his office.

Meanwhile, hospital CEO Bob MacLeod was asked to step down by the Governor's Office. Donald Shumway, former CEO of the Crotched Mountain Foundation, will lead the hospital in the interim. Sununu says he's unsure if the staffing shortage has caused services to suffer. He says he's looking into that, as well as having the Attorney General review the contract. Dartmouth Hitchcock has 30 days to remedy this shortage otherwise the contract could be re-bid.

Sununu is also asking to be reimbursed for the money the state has paid Dartmouth-Hitchcock for these vacant positions. In a written statement, Dartmouth-Hitchcock said that it has fulfilled its end of the staffing contract and that "any suggestion that Dartmouth-Hitchcock has not been completely forthcoming with the State is factually incorrect and reflects a misunderstanding that requires clarification." Officials at Dartmouth-Hitchcock plan to meet with the Governor and Commissioner of Health and Human Services to discuss this further.

Concord Monitor – May 3, 2017

N.H. Hospital CEO told to resign amid Dartmouth-Hitchcock staffing violation

By ELLA NILSEN

Gov. Chris Sununu told New Hampshire Hospital CEO Bob MacLeod to resign Wednesday morning after state officials said that Dartmouth-Hitchcock has been violating its contract to fully staff the state psychiatric hospital since November. “We’ve been paying for psychiatrists that haven’t been there,” Sununu said. He called the situation, and the way it came to light, “deeply disturbing and troubling.” Ten psychiatrists currently work at the hospital, while the contract calls for 12. New Hampshire Department of Health and Human Services Commissioner Jeffrey Meyers said he discovered the violations after Executive Councilor Chris Pappas raised questions about staffing during the council’s last meeting. The positions became vacant when psychiatrists were promoted to management positions and were not replaced.

Councilors have received regular reports on the staffing levels at New Hampshire Hospital since the contract was put into place last year. But those reports, prepared by New Hampshire Hospital officials, had the wrong benchmark for staffing levels – showing that 10 was the maximum number when it was supposed to be 12. “What has been brought to light to us is that those reports that have been given to us are absolutely wrong,” Sununu said Wednesday. “They’ve been wrong in terms of the amount of staffing we were led to believe was required, as well as the amount of staffing that they currently have.”

Dartmouth-Hitchcock responded Wednesday afternoon, maintaining it has been “completely transparent” with the state about staffing levels. “Throughout the course of this contract the state agreed that the staffing levels have been appropriate and the patient care is high quality,” hospital officials said in a statement. “That is why we were surprised, and deeply troubled, to receive the Commissioner’s letter last evening and to learn of the statements made at this morning’s meeting of the Executive Council.”

Hospital officials also pushed back on Sununu’s statement that he will be looking at getting money back from the hospital for the missing psychiatrists. “It is critically important to note that the agreement with the state is a ‘fixed price’ contract, and D-H has only been paid by the state through January of this year,” officials wrote. Pappas, a Democratic executive councilor from Manchester, said he noticed a long-term pattern of lower staffing levels as he reviewed the reports. Pappas said it was “disturbing” that the staffing deficiency was caught only because he happened to find it. He said he didn’t know whether the hospital was misrepresenting the numbers.

Sununu said it was not clear to him whether Dartmouth-Hitchcock or New Hampshire Hospital erred in preparing the reports. “I think the folks at Dartmouth-Hitchcock, they’re the ones making the report, the folks at New Hampshire Hospital as well,” Sununu said. “Whether nobody noticed or nobody cared to say anything, I don’t know, to be honest. Either way, there’s a problem.” Meyers said he brought the issue to the governor on Tuesday. MacLeod will be replaced by former Croton Mountain Specialty Hospital CEO Don Shumway, who also served previously as commissioner for the Department of Health and Human Services. The state has issued a notice of noncompliance to Dartmouth-Hitchcock; the hospital has five days to respond, Meyers said.

In the meantime, DHHS is considering a review to determine whether the staffing deficiency affected the quality of care, the commissioner added. “We have no indication that there was an impact on the

quality of care for the patients of New Hampshire Hospital as a result of the staffing deficiency, but we may take a look at that,” Meyers said. The state’s contract with Dartmouth-Hitchcock to provide psychiatric services to New Hampshire Hospital has been marred by controversy from the beginning, when a labor dispute resulted in the departure of nearly a dozen medical workers. As a former executive councilor, Sununu said he was hesitant to vote for the contract, but ultimately did.

The day after the contract was voted on last year, the hospital announced massive layoffs; however, the number of layoffs ended up being far fewer than expected. Pappas and Sununu both said each incident represents a breach of trust. “If you take a step back, there’s really a malpractice that was done when Dartmouth-Hitchcock decided not to negotiate the terms of employment with the professionals that were there at the facility,” Pappas said. “Now here you have another instance where there wasn’t communication, potentially they weren’t being honest with the state with what they needed to provide. We’re going to need some answers on this.”

Sununu said he’s requested that the attorney general’s office do a review of the state’s contract with Dartmouth-Hitchcock to explore what additional action could be taken. He added he has had trust issues with the hospital “from Day One.” “They have a lot of work to do, to earn the trust not just of myself but also this entire administration,” Sununu said. “We have huge concerns. To work with the state, you have to be transparent, you have to be open, you have to be a partner.”

Concord Monitor - May 03, 2017

Bill overhauling N.H.’s mental health system, DCYF headed to state Senate

By ELLA NILSEN

A bill tasked with overhauling New Hampshire’s mental health system and child protective services now has a price tag attached to it.

The Office of Legislative Budget Assistant estimates it will cost \$9.27 million in state general funds in fiscal year 2018 and another \$10.19 million the following year to add 68 mental health beds around New Hampshire and beef up oversight and staff for the state’s embattled Division for Children, Youth and Families.

The bill was unanimously passed with amendment by the Senate Health and Human Services Committee on Tuesday. It was recently introduced by Republican lawmakers in response to a lack of mental health beds around the state and problems at DCYF.

These have proved to be significant issues for the state’s Department of Health and Human Services; a lack of community mental health beds and limited space at New Hampshire Hospital has created a backlog of patients who are waiting in emergency rooms for a bed to open up. Meanwhile, DCYF has come under fire from advocates and state lawmakers after two toddlers were killed by parents whom the agency had investigated for abuse.

“Amending this legislation to provide additional mental health beds across the state and establishing greater oversight at DCYF is a great start to address two pressing issues at the Department of Health and Human Services,” Senate Majority Leader Jeb Bradley, a Wolfeboro Republican, said in a statement.

The largest chunk of money lawmakers are requesting is for 68 new beds for mental health patients. Lawmakers and state officials are also looking for ways to free up more beds at the state psychiatric hospital.

An updated version of the bill also calls on Health and Human Services Commissioner Jeffrey Meyers to create a plan to remove 24 children from New Hampshire Hospital and move them elsewhere as they continue receiving care.

“These youths are widely varying in ages, so it’s inappropriate to put two in the same room,” Bradley said. “If the youths were able to be moved successfully, it would free 24 beds, so there would be 48 beds for adults.

Meyers is tasked with creating the plan by November and has already started talking to outside groups about housing and care for the children. “I’m talking to a number of providers,” Meyers said. “Those conversations are continuing.” Last week, Meyers said he plans to seek \$3 million to start planning and drawing up designs for a new children’s unit at New Hampshire Hospital. The commissioner said Tuesday that the plan is still in the works.

“There really are no other options to expand capacity at New Hampshire Hospital,” he said. Meyers said he was happy to see the bill pass committee and head to the full Senate.

“There’s obviously a significant issue in New Hampshire,” he said. “All of the mental health measures in the bill will address some of the gaps.”

The bill’s passage in committee won praise from New Hampshire Hospital Association President Steve Ahnen, who commended Senate leaders, Meyers and Gov. Chris Sununu for their commitment to reform.

“Hospitals remain committed to working collaboratively with stakeholders across the state to address this issue from a systems perspective,” Ahnen said.

The bill also contains significant reforms to DCYF, adding a new office of child advocate and transferring the DCYF legal director to the state Department of Justice, rather than the Department of Health and Human Services.

The Office of the Child Advocate would provide outside oversight of DCYF, with access to some of the agency’s records and the ability to subpoena witnesses. DCYF would be required to immediately report any child death to the office, which would submit an annual report on the agency to lawmakers.

The bill would also create an oversight commission tasked with analyzing the effectiveness of DCYF’s programs. It would make the head of DCYF an assistant health commissioner who must be approved by the Executive Council for a four-year term.

Senate President Chuck Morse called the legislation “long overdue.” “It is imperative that we live within our means, but protecting children and those suffering from mental illness must always be a top priority,” Morse said.

**Updated: Sununu, officials say Dartmouth-Hitchcock in violation of contract with state
New Hampshire Hospital CEO out, state to seek reimbursement**

Updated: 1:52 PM EDT May 3, 2017

John DiStaso Political Reporter

Gov. Chris Sununu told members of the Executive Council at a breakfast meeting prior to their regular session that he asked MacLeod to “step aside” after he learned on Tuesday that Dartmouth-Hitchcock has been providing an average of only nine psychiatrists at the state psychiatric hospital, while its contract calls for 11.

Sununu asked former Health and Human Services Commissioner Donald Shumway, who is also the former chief executive officer and president of the Crotched Mountain Foundation, to step in on an interim basis, for three to possibly as many as six months, to run the hospital.

WMUR has been told by a source with knowledge of the discussions that current Health and Human Services Commissioner Jeffrey Meyers learned from reviewing reports on hospital staffing that the contract “was never fulfilled.”

Despite the violation, Meyers wrote in a summary, “there is no indication that quality of care of patients was compromised in any way.”

Sununu said at the meeting that Meyers and his staff will work with the attorney general’s office to review the contract and will be seeking at least partial reimbursement.

He also said he is asking Meyers to look at other measures that can be employed to ensure quality control.

“We can’t go forward trusting the word of an organization that isn’t trustworthy at this point,” Sununu said, according to a transcript of the breakfast meeting shared with WMUR.

WMUR is seeking comment from Dartmouth-Hitchcock.

UPDATE: According to a summary of the situation provided by HHS Commissioner Meyers, “Dartmouth-Hitchcock is currently not in compliance with certain requirements of its contract with the State of New Hampshire for clinical service at New Hampshire Hospital. Dartmouth-Hitchcock is not providing the requisite number of general psychiatrists required under the contract and has not provided a geriatric psychiatrist after the psychiatrist who served in that position was elevated to the position of Interim Associate Medical Director.”

Meyers wrote that while the contract specified 11 psychiatrists, “Since the beginning of the new contract, Dartmouth-Hitchcock has provided” between eight and 10.

This week, he wrote, there are 10 psychiatrists at the facility.

“While this is in violation of the contract, there is no indication that quality of care of patients was compromised in any way,” Meyers wrote.

He also noted that the position of geriatric psychiatrist was not filled after Dr. Gary Moak was promoted to associate medical director in January.

Meyers wrote that his department has asked Dartmouth-Hitchcock for a "corrective action plan," to be submitted no later than Tuesday, May 9. Meyers' letter to Dartmouth-Hitchcock Vice President and General Counsel John Kacavas -- dated Tuesday -- May 2, can be viewed [here](#).

The department is also "reviewing all compliance provisions of the Dartmouth-Hitchcock contract to identify any additional measures that may be needed to ensure strict compliance."

Contract stirred partisan controversy

The three-year contract with Dartmouth-Hitchcock was a source of controversy at the height of the election season last September.

The Executive Council approved the contract on Sept. 7, and on Sept. 9, Dartmouth-Hitchcock announced that it intended to lay off between 270 and 460 employees by the end of 2016. Then-Gov. Maggie Hassan, a Democrat who is now a U.S. Senator, said at the time the layoff announcement took her by surprise.

But the state Republican Party charged in right-to-know requests that the timing of the contract vote and the layoff announcement two days later was "coordinated," and pointed out that Hassan had received about \$30,000 in campaign contributions from Dartmouth College employees.

Hassan's spokesman at the time said the then-governor knew nothing of the layoff plan when the contract was approved and learned of it only when it was announced two days later. The spokesman called the NHGOP's allegations "blatant partisan politics."

Sununu, who was an executive councilor and candidate for governor at the time, called for cancellation and rebidding of the contract.

Dartmouth-Hitchcock CEO James Weinstein said that the layoffs would not affect New Hampshire Hospital. Weinstein has announced that he will retire from Dartmouth-Hitchcock on June 30.