

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

State House, Room 100
Concord, NH
Friday, October 3, 2025

MEMBERS PRESENT:

Representative Gerald Griffin, Chair
Representative Kenneth Weyler
Representative Mary Jane Wallner
Representative Lucy Weber
Senator Cindy Rosenwald
Senator Howard Pearl
Senator Keith Murphy

1. **Acceptance of the September 5, 2025, meeting minutes**

GERALD GRIFFIN, State Representative,
Hillsborough County, District #42 and Chairman: Okay. It
being -- it being ten o'clock, I'll open the meeting of the
Legislative Performance Audit and Oversight Committee. And the
first thing on the agenda is the acceptance of the -- of the
September 5th, 2025, minutes. And -- uh -- so I'll accept a
motion.

** CINDY ROSENWALD, State Senator, Senate District
#13: Move approve.

HOWARD PEARL, State Senator, Senate District #17:
Second.

CHAIRMAN GRIFFIN: So, we have a motion and a
second for the acceptance of the September 5th, 2025 -- 2-0-2-5
meeting or any changes? Any -- any comments? Yes.

SEN. ROSENWALD: The only thing, and I think I'm old-fashioned, is that I miss the use of the honorific, so that Mr. Henry is just referred to as Henry. And Mr. Phillips is just referred to as Phillips. I just wonder if going forward we could add Mr. or Ms. as appropriate.

CHAIRMAN GRIFFIN: I -

SEN. ROSENWALD: It may just be me. But -- um -

CHAIRMAN GRIFFIN: I don't see why not. Any other comments?

KENNETH WEYLER, State Representative, Rockingham County, District #14: I would abstain.

CHAIRMAN GRIFFIN: All in favor? Any other abstentions?

*** {MOTION ADOPTED}

2. Potential Audit Topics

Review status of prior performance audits on 10-year list:

CHAIRMAN GRIFFIN: Okay. We're going to move on to the business of the day, and there's going to be a little change in agenda here. The parties involved have agreed to have the Police Standards and Training go first. So, please come forward, put your mic on, state your name for the record.

JOHN SCIPPA, Director, Police Standards and Training: Thank you, Mr. Chairman. Uh -- thank you, Members of this panel. For the record, my name is John Scippa, and I am the Director of New Hampshire Police Standards and Training, and I appreciate this body's consideration. I -- I have an 11 o'clock with Department of Safety. So thank you very much for that consideration.

With me today is Major Adam Hawkins who oversees our professional development bureau.

CHAIRMAN GRIFFIN: Thank you very much. We appreciate you being here. We're getting near the end of the process that we're in and -- and we're happy -- happy to see both groups here today. So, with that, I'll let you begin. Give us an update.

MR. SCIPPA: Thank you, Mr. Chairman. Apologize, I got to take my glasses off to see up close here, so. I -- I was able to provide all the Members of the Committee a most recent report relative to our response and performance to the audit from 2019. And that performance audit recognized sixteen points by which our Agency maybe was deficient or could do a better job. And of those sixteen, all but four of them have been fully resolved.

Uh -- I can tell you that the resolution it was completed because of the men and women who work at Police Standards and Training. They did a phenomenal job in addressing all sixteen of these particular audit issues.

To that end, unless any Member of this body has a question relative to the resolved items, I would ask that I could just go to those that are either substantially resolved or partially resolved just to speak to them, and to expedite the hearing. I don't know if anybody has a question on the resolved matters.

CHAIRMAN GRIFFIN: We can do that.
Let's -- let's each go through them then. And if you have questions, please indicate.

(Representative Erf enters the Committee Room.)

CHAIRMAN GRIFFIN: That's the one we're working on, Keith.

SEN. PEARL: Mr. Chair, I would be fine with them just going over the partially.

CHAIRMAN GRIFFIN: {Inaudible}.

SEN. PEARL: I said I would be fine with them just covering the partially resolved and substantially resolved. I don't have any questions on the fully resolved.

CHAIRMAN GRIFFIN: Yes.

SEN. PEARL: If you like to just do that.

CHAIRMAN GRIFFIN: So, yeah, why don't we go through the partially resolved. Uh -- Senator Pearl's suggestion is well-taken, so.

MR. SCIPPA: Very well, sir. I would -- I would ask everyone to refer to Page 3 of the document that I submitted to this body, and specifically to Observation Number 6, which asked for Police Standards and Training to incorporate a job task analysis and use that as part of our curriculum development process.

The recommendation was that Police Standards and Training seek funding to ensure that an updated job task analysis was completed and that the results were integrated into our curriculum management. I can tell you that this particular item is substantially resolved. We were able to secure funding really through the transfer of money at the end of our last budget cycle, so that we did not have to ask for any extra money, and we were able to secure a company that could conduct an independent and objective job task analysis. And part of that analysis was also to ask this company to also gather data relative to a physical aptitude test for police officers in the State of New Hampshire.

Presently, we use a -- a particular test called the Cooper test -- uh -- to test police officers every three years during the course of their career as part of the requirements to maintain their certification. And there has been -- we've been using that since 2001, that particular test battery. And our stakeholders have asked if there may be an alternative that we could transition to that may be more -- more

accurately reflects those types of physical activities that a police officer would have to do.

The Cooper test is based on fitness standards, run, mile and a half run, push-ups and sit-ups. And our stakeholders are wondering if there's an alternative test that would just mimic those things that a police officer has to do, rapidly exit a police car, run through a series of challenges, barriers, up and downstairs, the ability to use their upper body strength to -- to arrest somebody. And so we're in the process of working with this vendor to kind of devise that test as well.

The vendor has completed the job task analysis. We asked every single police executive, middle manager, and police officer, to take part in a survey that helped us really understand to what degree we needed to change the curriculum, maybe increase the amount of time we're spending on particular curriculum, or maybe stepping away from some of the curriculum. Uh -- I'll give you just anecdotally I can speak that when I became a police officer a couple few years ago, I can tell you that the baton was used as a non-lethal weapon choice when controlling people who were combative.

Candidly, over the last 40 years, more and more police departments are stepping away from impact tools and instead they now rely on electronic weapons, like a taser. And so we see -- we still deliver the baton class in the recruit academy; but we're seeing less and less agencies, less than 50% across the state that are actually issuing that particular device to their officers. And so we recognize that we have to

transition away from the baton training and replace it with electronic weapon training. And we're -- we're slowly moving in that direction.

We'll still offer the baton training, but it won't be mandated. It will be optional for those officers that still use it.

Uh -- as we speak, Major Hawkins and people that work for him in his Bureau, have set up subject matter expert work groups relying on stakeholders from across the state. We're asking police executives, middle managers, prosecutors, and then those people who represent some of the topic areas that we teach, people from the mental health field, people from rehab services, victim/witness advocates, we're -- we have a schedule that's planned out right now for October, November, to meet with the subject matter expert groups, and we're going to look at general collective topics. And to give you an example, we'll have a collective topic of patrol procedures. Patrol procedures will deal with all of those things that a police officer is doing during the course of their duties. Uh -- driving a police car, arresting people -- uh -- conducting motor vehicle stops, doing building searches. And we're going to have a subject matter expert group look at the results of the job task analysis, and they'll compare that to the existing curriculum that we now deliver, and that subject matter expert group will -- will rely on their input to decide whether we have to add, subtract, augment any of those topic areas.

We're going to do the same thing with legal matters, and we'll be using folks from county attorney's office, the Department of Justice here in New Hampshire, and local police prosecutors to look on how we deliver all of the law classes, the law of arrest, the law, use of force, search and seizure, things of that nature. So, we have that in front of us. Our hope is to get those meetings completed, certainly by the end of the first quarter of 2026, and then we'll begin to make any adjustments that we'll need that are suggested, and that the Council agrees to amend our curriculum as it stands now.

The other piece that is still in flux and, again, we're working towards our resolution here, is collect folks who are fitness instructors certified through us at Police Standards and Training, and we're going to get that group together to work on devising a physical aptitude test that is reflective of the data that was collected through the fitness test analysis, through that survey.

We thought, just anecdotally before the survey went out, hey, police officers probably have to be able to jump over a six-foot fence as part of their duties. And we sent the survey out, and not one responded during the course of their duties have ever had to jump over a six-foot fence. A lot of them had to jump over a four-foot fence though. And so just little things like that are going to help us design a test that is reflective of actually what a New Hampshire police officer is going to have to do.

And once those different physical aptitudes are identified through the JTA, and discussed with the subject matter expert group, we're going to devise a series of tests, and then we're going to collect data by putting incumbent police officers through that test. We understand that we really want to have officers that are fit, and they're able to do the essential functions of their job. And so that is the effort that we're putting forth to ultimately resolve Observation No. 6 with regard to the job task analysis for curriculum development. And I certainly stand ready for any questions on this matter.

CHAIRMAN GRIFFIN: Are there any questions from the Committee? I have -- I have one. Is the March date for completion still a good date?

MR. SCIPPA: I -- I -- um -- I'm sure my Major and I will have a conversation when we walk out the door. Uh -- but I -- I would like to target first quarter to have this completed.

CHAIRMAN GRIFFIN: Thank you. Uh -- can we move on to the other partially resolved items.

(Representative Weber enters the Committee room.)

MR. SCIPPA: The next item would be on Page 4, and it's Observation No. 7. And that is to develop a performance measurement system and strategic plan. And the recommendation was that Police Standards and Training complete a comprehensive strategic plan which identifies goals and objectives for the Police Standards and Training Council, and

then design performance measures which can be tracked to determine the organization's achievement of these goals and objectives.

This is partially resolved, and I would offer the following. This -- this audit was conducted in 2018. The report ultimately was issued in 2019. Uh -- I was appointed as the Director in 2020 on the same day that the State of New Hampshire shutdown because of Covid. Once we were coming kind of through Covid, National Police Reform efforts hit. Governor Sununu enacted the -- the Commission on Law Enforcement -- um -- Accountability, Community, and Transparency. Uh -- that particular effort identified a significant number of items that the Governor and the State had agreed to resolve or address.

Uh -- of the 48 recommendations from the LEAC Report, 22 of those were directly we were responsible for taking care of.

Since I have been in the position that I've been in, we have used this 2019 audit, and the LEAC Report as really our rudder in the water. We had a lot of things that we had to take care of. Uh -- we have worked diligently to try to resolve every one of those items that were identified. I will tell you in some instances, some of what was identified through the LBA report was also reflective in the LEAC Report. So there was some overlap.

Um -- one in particular spoke to a robust record management system. We were literally using pencil and paper to

maintain files. And since that time, that was both identified in the LBA audit, and it was also strongly identified in the LEAC Report. And we have worked tirelessly. And when I say we, I mean Major Hawkins and his group have worked tirelessly to implement a significantly robust record management system that is all digital and his work is really going to be part of his legacy in terms of getting that up and running, and running smoothly, serving all of our stakeholders.

We have not since my time, since my appointment, we have not had the ability to meet with the Council Members to develop a forward-looking strategic plan. I will be very candid with you. It just has not happened. I know that the present Chair of the Council wants to do that. I certainly want to do that as well. And that is something that we're going to work towards to really not rely on this -- this LBA audit or the LEAC. You know, we -- we're really clicking away on both of those items; but we do need to be strategic in our forward planning and that is something that's going to happen.

Um -- historically, Police Standards and Training, and I can speak to this in the first instance -- uh -- when I was a trainer at Police Standards and Training early on my career, I know that the Council actually went on retreats. They would -- they would -- uh -- hold up in a hotel for a weekend, and it was a work weekend and that's where the strategic planning happened. I don't know how I could accomplish that right now. Just, you know, with budget constraints and things like that. But that -- we have to return back to that. And I think that the Council wants to do it. I

know that our staff and myself want to get that done as well. So that is something that we want to plan.

CHAIRMAN GRIFFIN: Thank you. Any -- uh -- any input from the Members? Yes, Representative Rosenwald.

SEN. ROSENWALD: Thank you.

CHAIRMAN GRIFFIN: Senator Rosenwald.

SEN. ROSENWALD: Do you know how many of the LEAC Commission's findings have actually been implemented fully?

MR. SCIPPA: Thank you for that question, Madam. I wish I had brought the LEAC Report with me. I think I might have it on my phone. Um -- I cannot speak to the exact number. I will absolutely get that information to you and to this body for your consideration.

I can tell you that if not all 22 of our responsibility have been clicked off, I can tell you that very close to all 22 have been clicked off. We -- we may have a straggler here and there. Again, the job task analysis is a good example of one that was identified in both of those reports, the LBA report and the LEAC Report, and that is something that we're -- we're just trying to close out. Uh -- and we've substantially moved that forward, but there's still work to be done. Yes, ma'am.

CHAIRMAN GRIFFIN: Anyone else? Thank you for that. And we'll move on. I think we have two left.

MR. SCIPPA: I would ask that the body look to objective or check that Observation No. 10. Observation No. 10 can be found on Page 5. And in this Observation, the LBA audit indicated and recommended that we improve administrative rules by ensuring rules are consistent with statute, updated timely, and all forms requiring information from external parties are properly adopted. And this is partially resolved.

Uh -- the Police Standards and Training Council has hired a part-time employee. It's actually a former director, Keith Lohmann. We were able to -- I kind of leaned on him a little bit and said, hey, would you want to come back and help us out? Former Director Lohmann is -- this is kind of his -- his wheelhouse. And he was very excited to come back and help us.

We have a subcommittee of the Council. Uh -- and I have worked with that subcommittee to work on proposed amendments to our existing administrative rules. I will tell you that our rules are not contemporary. They need to be amended. Um -- the subcommittee's work as of the last Council meeting is complete. Uh -- we are getting ready to disseminate the subcommittee's proposed ideas to the full Council for their review. Once the full Council reviews those and, ultimately, says, yep, we're all on the same page -- uh -- the plan is to release those -- uh -- those proposals to our stakeholders and to the public, and then prepare to hold the -- the public hearing relative to what those proposals are. Uh -- and my

understanding is that is part of the LBA rule change process that would have to happen.

So we're -- we're hoping that in the next Council meeting in October, and possibly November, depending on, you know, what the full Council sees as needing more discussion -- uh -- but our hope is to certainly by November -- uh -- have the Council get those approved, and then at least the -- the proposed changes approved, and then put it out to the public so that we can prepare to have a hearing. And our hope is to have all of this in the chute with the LBA rules committee so that we can make these changes by -- by 2026.

CHAIRMAN GRIFFIN: Thank you. Do the Members have any questions on Observation 10, and we'll move on to the last item, which is I think is 16.

MR. SCIPPA: Thank you, sir. Sixteen would be -- Observation 16 would be found on Page 7. And -- uh -- this Observation, the LBA audit recommended that we develop policies and procedures to ensure that the Corrections Advisory Committee consistently comply with statute, and continues its efforts to utilize the Committee, and this is partially resolved.

Uh -- the Corrections Advisory Committee is identified in RSA 106-L:5, and it allows the Council, the Police Standards and Training Council, to rely on a select group of people who are identified in statute that would be nominated by the Commissioner of the Department of Corrections. The

nomination is brought to myself and that I would present that to the Police Standards and Training Council for appointment.

Uh -- that -- that Committee had not met until -- I -- I don't know how long they had not met, but I do know that in 2020, as I began to work on these Observations, we reconvened the Corrections Advisory Committee, and I held meetings in 2020 and 2021 with that particular committee.

Uh -- I can tell you that I would feel bad, because the people who were invited to that meeting by statute, right, generally would just ask me, well, how -- do you think that we're using the correct curriculum? Are you okay with the curriculum because if you are, then we're okay with it, too. And it was really kind of working in the opposite direction.

I appreciated very much their faith and trust in myself and the staff. I can tell you that a majority of the people who are identified through statute, and it's not -- it -- it -- it just is what it is, they really don't bring a perspective relative to what a one to five year corrections officer would need to know to be successful in their job.

The people that sat in this Committee are very high-level directors. Director of Rehabilitative Services, the Director of Nursing, medical and forensics. We did have a warden, Michelle Edmark, who was wonderful. She's a very smart lady and an excellent resource; but a vast majority of people sitting on that committee just -- they -- they just didn't have any idea about what a corrections officers would probably need

to know. Uh -- they're all excellent people in terms of what they were in charge of. I -- I don't know that the -- the membership positions -- I don't know whether those need to be changed so that if the Committee is called -- uh -- that Committee will -- will be able to engage in conversations that would, you know, have value to developing, you know, shaping, sustaining a corrections officer as they begin their career coming out of the Academy.

Um -- you know, we certainly stand ready to continue to work with the Corrections Advisory Committee. I can tell you after 2021, some of those statutorily identified members, those positions were not filled -- uh -- for either budget issues or staffing issues that the Department of Corrections had. It's not anybody's fault. It was just, you know, how things went. And because some of those positions weren't even filled, it didn't make sense to call the Committee back, because we -- we just wouldn't have enough membership.

Uh -- I know that -- um -- with the new appointment of Commissioner Hart, I know he and I have been in a lot of talks, quite frankly, as he stepped into this role, and I stepped out of that role. Uh -- but I know that he is aware of the Corrections Advisory Committee. And he understands that those positions within his agency will need to be filled if they're empty. And we're going to reconvene that again, you know, moving forward. So it was just, you know, a variety of small reasons why after 2021 it kind of fell to the wayside, and we're ready to reconvene that Committee and -- and begin to work, you know, forward.

CHAIRMAN GRIFFIN: Thank you. Do the Members have any questions? Yes. Representative Erf.

KEITH ERF, State Representative, Hillsborough County, District #28: Thank you, Mr. Chair. Thank you for taking my question. If the Committee, this Committee is to be continued, is -- would legislative changes be required to the RSA to address some of the concerns you're raising here?

MR. SCIPPA: I -- that -- that may be a solution, sir. Thank you for the question. That may be a solution and -- and I'm wondering if there's a -- a -- um -- a less formal way that I can work with Commissioner Hart, and maybe what Commissioner Hart could do is have those statutorily identified positions still, you know, call -- come to the meeting and be part of that meeting. Uh -- but maybe Commissioner Hart could identify other people within his organization that could kind of come in as well and kind of be the liaison between the -- the Director of Medical and Forensic Services, and maybe a corrections officer that works in SPU might be able to -- to also add some value. So, I think in the first instance we can probably work through that. But I do appreciate and, candidly, you know, kind of consider would it make sense to -- to maybe change the legislation. Uh -- but I'd like to try it more informally in the first instance.

REP. ERF: Thank you.

MR. SCIPPA: Thank you, sir.

CHAIRMAN GRIFFIN: Representative Weber.

LUCY WEBER, State Representative, Cheshire County, District #05: Thank you, Mr. Chairman. Thank you for taking my question. Uh -- I was wondering if -- uh -- sort of two parts. I mean, you have the positions which are no longer in existence, so they can't come to the meeting. But the other thing is that in many statutes when we name the commissioner of a department or others, we specify the commissioner or designee. And it seems like this would be a situation in which having the designee of the particular department that you want represented might be an appropriate way to go. But it seems to me that you can certainly have people come to your meetings. But if it's statutorily designated, wouldn't you agree we would need a change in the statute to be specific about -- um -- who the actual members are, as opposed to people who are coming and offering their comments and advice and expertise.

MR. SCIPPA: Uh -- thank you, Madam. Yes, I -- I do agree with your perspective on that.

CHAIRMAN GRIFFIN: Representative Weyler.

REP. WEYLER: Thank you, Mr. Chairman. So are any of the supervisors of these one-to-five-year corrections officers like a Sergeant or something, are they on this committee?

MR. SCIPPA: Uh -- thank you, sir, for that question. No, they are not.

REP. WEYLER: Why not?

MR. SCIPPA: Uh -- I don't know. I -- the legislation calls for directors of those different areas of responsibility that the Department of Corrections has. I think there may be one member, and I believe that that line staff member is a member that represents -- uh -- one of their unions. And I -- I think that is the only uniformed person that is statutorily identified presently under 106-L.

REP. WEYLER: It would seem to make sense that if you're worried about the one-to-five-year person, people that are directly supervising them and advising them would be more appropriate on this committee. Thank you.

MR. SCIPPA: Yes, sir.

CHAIRMAN GRIFFIN: Is there anything else?
I -- I'd like to emphasize that you -- you should think about a -- a legislative solution to -- uh -- restructure that committee so that it's helpful to you or at least that it can give you some oversight and some feedback. Other than that, we want to thank you for coming. You were very informative. I think we all learned something. And -- uh -

MR. SCIPPA: Thank you, Mr. Chairman. Thank you, Members of this body. And I will deliver that information relative to the LEAC Report as well. And thank you for your consideration of allowing the agenda to change so I can get to the next meeting. Appreciate that very much. Thank you.

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CHAIRMAN GRIFFIN: Okay. We are going to move on to the Office of Professional Licensure and Certification. And, again, uh -- uh -- we need rank -- name, rank, and serial number for the minutes.

DEE JURIS, Executive Director, Office of Professional Licensure and Certification: Good morning, Mr. Chairman, Members of the Committee. Just for the record, I'm Executive Director Dee Juris of OPLC. I do have two audits to report on. I don't know if you have a preference of which one is first. Okay.

Uh -- let's -- here. We will start with -- I, with your permission, I'd start with the Dental Examiner's Audit. That's the beast of an audit I would -- I would say. We'll start with the big one, and then we can move to Naturopath second.

With your indulgence, I would follow the previous director's lead and just report on the partially resolved pieces there. We do have 36 findings in the Dental Audit, and 18 in the Naturopaths. So I would love to honor your time without going through each of those individually. Great. Thank you so much.

I would be remiss if I didn't just mention and express my appreciation for Director Heather Kelly sitting beside me as my Director of Operations, and Attorney Nicholas Frye, who's my General Counsel, who worked really hard on preparing these reports for you today, as well as members of our

staff, our rulemaking team, other attorneys and other board -- board staff who have been working to implement many of the changes that you will see noted as resolved here. Um -- and much of that is spurred by legislative changes that members of both bodies here have -- have voted for and -- and have worked on, some of you very closely over the last several years to make the statutory changes in order for us to come into compliance with some of these findings. So, as you read through the report at you're leisure, perhaps some weekend reading here, you will find a lot of the changes here are as a result of changes to RSA 310 and the governing of the statute. So do appreciate your work on that, and we're still working to resolve it.

CHAIRMAN GRIFFIN: Director, where -- uh -- this -- this -- uh -- I think it would be helpful if you could go through each of the partially resolved.

MS. JURIS: Okay.

CHAIRMAN GRIFFIN: Uh -- anything that's not fully resolved.

MS. JURIS: Okay.

CHAIRMAN GRIFFIN: Otherwise, I think we'd probably be here for a week. But I want to -- I want to say right upfront that I went through the organization chart. I'm pretty impressed with the extent of your responsibilities. It's kind of like herding a bunch of stray cats, I'm sure. And so -- and you haven't had long, really, since the law changed relatively recently.

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MS. JURIS: Hm-hum.

CHAIRMAN GRIFFIN: So, you're making progress, and we want to encourage you with that; but if you could update us on the things that have been partially resolved and where you plan to go with those.

MS. JURIS: Certainly, I'd be happy to. And I do appreciate your support. Without speaking out of turn, I may have heard that same metaphor herding cats in reference to another body that inhabits this building. So I'm very familiar with that dynamic for those of us who have -- have all served in that space.

All right. So I will start then. The first partially resolved in this Dental Audit would be findings two and three. So -- or Observations 2 and 3. So I will start there. Um -- the Observation about developing strategic management controls. So this is partially resolved, as I mentioned again with the passing of RSA 310, and the pretty significant changes to the governing statute of the OPLC. I would say the reason for the partially resolved note at this point is that we're actively working on building a library of policies as noted at the bottom of Page 3, moving to Page 4 -- um -- related to licensing, discipline, recordkeeping, and rulemaking -- um -- to ensure that the current law's followed.

So, as we discussed quite at length the last time I was with this Committee, I believe in June -- um -- the process of the statute changes then prompts rule changes, which prompts the policy changes. So as we're starting to get through

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the rulemaking process, again, which takes about twelve to thirteen months with a Board, then we can start to develop those processes.

So, we -- we are actively working on that. Director Kelly is -- probably spends a portion of every single day working on policies, whether updating those or creating new policies, and many of those are in response to the audits that we have here to resolve those concerns. So either that or in response to law and rule changes. So that is the -- the -- the note for the partially resolved and truly the explanation is very similar for the third Observation about risk management controls.

We're extremely aware of that, the need for very strong risk management. We do have a lot of confidential information and data about individuals. And -- um -- and the -- as a regulatory agency that is responsible for licensing for largely for people's professions, we understand that it -- it is the reason that they are able to work in accordance with the law, and we do take that very seriously. So, we are actively working to ensure greater and greater compliance with those needs.

I will move down to Observations 10 and 11. So that would be looking at Page 6. Improving performance management controls and knowledge management controls. Um -- so, again, very similar. This is the theme of my song, I suppose, with these -- these audits is that there's a lot of changes that have happened over the ten years in the existence

of this office. We are working on tracking employment performance and incorporating that into decision-making. We are also, and I will thank the Executive Council for their support for voting just this previous Wednesday on a contract that should -- should fund, if all goes according to plan, the completion of the new licensing portal that we are actively in development, as well as a back end case management system for my Enforcement Division. And so, like I said, with that approval for that funding through the end of next calendar year, we are full steam ahead. Um -- and that will also really help with the performance management, knowledge management. It's going to automate processes, just in terms of even delivering mail, sending letters, queuing up reminders, the kind of follow-up there. So we're looking forward to leveraging technology to increase compliance there. So that's the note of the partially resolved as we're in the middle of implementing that presently.

Just two more in the partially resolved, and then I'm happy to pause for questions.

CHAIRMAN GRIFFIN: If I could interrupt.

MS. JURIS: Yeah.

CHAIRMAN GRIFFIN: I don't want to get too far in without seeing if the Members have any questions.

MS. JURIS: Certainly.

CHAIRMAN GRIFFIN: What you testified to today.
Senator Pearl.

SEN. PEARL: Thank you. Thanks for coming in.
Uh -- I know you had, I assume probably the knowledge management controls and some of that especially relates to the backlog of cases that you had in trying to get through some of the -- I know you had at one point several thousand that you inherited when you took over the position.

MS. JURIS: Hm-hum.

SEN. PEARL: Is there any update on the status of how you're making progress through that and are these observations helping you to kind of address the issues that you have with those backlogs?

MS. JURIS: Yes, thank you for the question. I will -- I will make a few observations that hopefully respond to the question. The knowledge management part of the piece that we were looking at here is even just the accuracy and the reliability of our records, which is certainly the work that we have been doing across both divisions, but certainly the enforcement division. That has been a major focus over the last ten months since Director Rogers stepped into the role last November. We're in the midst of a scanning project as the budget allows. We have, I don't know, Director, thousands and thousands of records that are in boxes and paper that we have contracts to do scanning. But it -- the volume is substantial. Um -- but ensuring that more and more of that is digitally

available to ensure we have access to that information, that historical record.

Um -- in enforcement that is really fairly settled on the licensing side. Some of that historical information we have a lifetime retention policy for -- um -- the fact that a person held a license. Uh -- so you can imagine an agency that was, you know, disparate throughout all of state government, some attached to different agencies, some totally doing their own thing, some totally new that the records are interestingly -- um -- settled. So we are -- we are actively working on that; but I would say that's a big piece of it.

In reference to the backlog, and I will -- I can get you some more information. I know Attorney Frye did provide an update to House ED&A on Wednesday while I was at Governor and Council with regards to a retained bill regarding the enforcement process as well. What I can tell you is when I took the position about thirteen months ago as the Executive Director, we had a record of about 6200 complaints. At this point we are under 2500 complaints -- um -- through management, clearing through data, ensuring that that's accurate, and then working through the processes and procedures of how to review those to create the investigations, allow boards to review them. So we are actively in the middle of that as well. Yeah.

SEN. PEARL: Thank you for the update. Sounds like you're making some good progress.

MS. JURIS: We're getting there. Thank you.

CHAIRMAN GRIFFIN: Thank you. Is there any other questions? Okay. You may continue.

MS. JURIS: Thank you. The last two in the partially resolved are Observations 18 and 19. So improving dental care, industry regulation, and then initial regular dentist and hygienist licensing controls.

So, as you all are aware, the Agency has an interesting blend of the office is in -- um -- statutorily responsible for the process. So the moving the paper around, the actual correspondence, the approvals in that regard; but the policy and the standards for obtaining a license, the continuing education, if there's any examination, those policy determinations are made by the individual boards in their rule. So there is a separation between those two responsibilities. Obviously, there's a lot of overlap. But the office, OPLC, is not the one that's deciding the correct credentials for, in this instance, to become a dentist. That is the policy consideration of the board. So there's -- but -- but the office is responsible for writing the support for the rulemaking. So the drafting, the shepherding it through the rules process. So there is some interplay there.

So, when we talk about the license controls, and the dental care industry regulation, that is the Board really has to do that regulatory work in their rules. And they have been working hard on their rules. They've been making a number of updates. They -- they had made a number of adjustments to

sedation and anesthesia in their rules over this past year. They've been working hard, maybe for two years they've been in active rulemaking to ensure that public safety is -- um -- is paramount. Um -- so they've been making changes and working on that as well.

Um -- in addition to that, we are working through the disciplinary process. We have that rulemaking authority to ensure that it's standardized across all license types and all licensees so that they're not being treated differently, depending on either who the person is, or so it's not, oh, I know so and so. And then that's shaping the way that things are handled. So that regulation is the process side of things is on the office's end.

So we are, again, actively engaged in that. And as the Board updates their rules and creates more standard -- um -- criteria or -- um -- creates that scope of practice or things that are disciplinal conduct, then we can apply the law evenly in the office. So we're working on that as well.

CHAIRMAN GRIFFIN: Senator Pearl.

SEN. PEARL: Thank you again. I don't know if this is a curve ball question or not, but one of the things that we are regularly considering in legislation is compacts.

MS. JURIS: Hm-hum.

SEN. PEARL: And it made me think of it with the hygienist license control because we have that before us, the bill that we're working on. How do those fit in with your regular rules, you know, with your regular oversight on conduct and you talked about that.

MS. JURIS: Hm-hum.

SEN. PEARL: How does that work with the compact side? Is there things that we need to look at and address to consider that because, I mean, they sometimes are a slightly different scope of practice or -- or set of rules that they're working under because of the compact. I just -- I'm not sure that that necessarily applies here, but it sort of triggered my thought on it.

MS. JURIS: Yes. And, certainly, the compact would not have been a consideration, wasn't in conversation in 2022 when this audit was first released.

Compacts are an interesting policy vehicle, right? Because it is -- it -- um -- individual states, right, the legislators have to make the policy decision to participate; but there is that interstate transaction that occurs.

Um -- just really quickly on the discipline piece. If a state is -- is a member of a compact, they would be -- we would call it a member state. They receive information if discipline occurs with a certain licensee in another member state or in the home state where that person is licensed. So

that information does get to us and the boards. It is compact specific so the language is different in every compact that we have. But there is an opportunity for what we would call reciprocal discipline, which is to say if a license is suspended, and I don't want to -- in New Hampshire, I won't pick a random state to pick on any state, if a license is suspended by the New Hampshire Board of Dental Examiners, and the dental exam -- we were in that compact, there would be notification to the other compact states. So, it does dramatically broaden the jurisdiction that a board would have when they enter a compact, because any compact licensed individual could -- would potentially be subject to that discipline in the State of New Hampshire. Um -- so that is an interesting consideration. That is already in effect for the compacts that we are part of now. Again, each of them is a little bit different.

In terms of the policy considerations, the -- there's still an opportunity. So nursing is a good example. That is a compact that is well-established, has been running for several -- for several years at this point. Individuals have the opportunity to just get a New Hampshire license by the letter of the New Hampshire state laws and rules and practice in New Hampshire. They do not need to participate in the -- they don't need a compact license. They don't have to have that. So that is still a pathway. They can get a compact license. We would call it a multi-state license to be able to practice in any other compact state. So the state regs do still exist and that is a pathway. But the state by joining says, yep, we're going to assent to whatever the compact decides are those qualifications.

SEN. PEARL: Thank you.

CHAIRMAN GRIFFIN: Uh -- there's fifteen or so that are marked substantially complete. Do you have an idea of when the majority of those will be? Are there any of those you just abandoned?

MS. JURIS: I'm not willing to commit to abandoning any of them at this present moment. I would not want to speak in that regard. I -- I imagine, and again, like you said, there's fifteen of them, I imagine many of them are either we are just working for continually greater compliance. So it's in progress and may be substantially resolved for some time. Actually, as I was reviewing just before the previous director was done, I -- I hesitate to say this, but I do think I will. There are some that I'm not sure we will -- we may mark fully resolved; but there's always this continuous improvement to say the law changes. We want to be even more compliant, and as we find issues we address them. So compliance with the Administrative Procedure Act, that -- at any given moment in a board meeting we could do something that is not in compliance with the Procedure Act. And so I think some of the substantive resolving is to say we still -- acknowledging we still have some work to do to get it across everywhere.

The other reason, the other major reason I would say would be that if we're in the middle of a rulemaking process that we would say it's substantively resolved. We've started it, but the rules are not fully implemented. So I would say

broadly those would be two big pieces, and the timing on that is -- um -- there's so many external factors to determine when that would occur. Yeah.

CHAIRMAN GRIFFIN: Thank you. I noticed looking through your organizational structure that you have a lot of vacancies.

MS. JURIS: Yes, sir.

CHAIRMAN GRIFFIN: And now what are you doing to fill those?

MS. JURIS: It's an interesting conversation. Um -- we -- everyone in this room is aware and anyone watching online is aware that it's not the -- um -- not the most fun we've had in terms of the State Budget. The OPLC is fortunate in some ways that we operate out of a dedicated fund. So it's the Agency funds, it's licensing fees that fully fund the operation. So that does -- that provides us with -- um -- some opportunities and some challenges.

One of the opportunities is that we -- we can see our revenue really closely. We have a good sense of where we are. And -- um -- people need licenses to work. So there's some -- it's not totally predictable, but it's somewhat predictable. Um -- in this challenging environment state-wide, right, there is -- there are limitations in the ability to hire. We are choosing to -- I am choosing to use this as an opportunity to look at our structure to say while we have this,

are there areas where potentially we were overstaffed before that we had more staff in an area than we needed, but then in others that would have been understaffed. And can I -- can I take the structure and do some restructuring in a way that's less disruptive to individuals where if you have every position filled it is much harder to make a change to those job responsibilities for a number of reasons, right, just personally affecting them, but also the way that our personnel rules are. So, I'm choosing to look at some of that, reframe duties where we need. But there -- the number of funded positions I have I am not sure in this biennium will be filled. I think that's the reality of the -- the current state of play.

CHAIRMAN GRIFFIN: Thank you. Before we let you go, I want to see if the Members have any other questions or comments. I'd like to say that we're really happy with the progress you're making.

MS. JURIS: Thank you.

CHAIRMAN GRIFFIN: We know you haven't been at it too long, and we very much appreciate you appearing and -- and giving us some update personally, so.

MS. JURIS: Happy to. Would you -- would you like to hear about the Naturopathic Board of Examiners as well? Happy to share. Let me file one way here, and we'll get the other one out.

CHAIRMAN GRIFFIN: If it's relatively brief.

MS. JURIS: I -- I'm happy to be as brief as you would like. Um -- you will find -- so a shorter audit here. I -- I will just very high level. There are three that we have marked unresolved, and two that we have marked partially resolved. So I will speak to those five.

The first, the partial -- um -- resolution of the define and communicate -- this is Observation 1 -- define and communicate the scope of practice for naturopaths. So that consistent with my previous testimony is marked partially resolved because we are in the middle of the rulemaking process between the staffing that the office has, and then the Board's ability to continue. Um -- there's a lot of rulemaking due to the scope of practice. It is not -- um -- it is dense, very important work. And it is -- it's a lot of plotting, you would say. There's a lot to that. And so the Board is actively working through rulemaking.

Um -- in addition to that, when statutes change internally within the office, any rulemaking that is required to implement that statutory change immediately jumps to the top of the priority list, as we're trying to triage work. So it's -- it is possible entirely that some of these scope of practice questions, while very important, are not as urgent because of the statutory compliance. So that would be the partially resolved nature of Observation 1.

Two and three involve controls over otherwise unregulated drugs and unrelated activities and then controls

over the formulary. The Naturopathic Board of Examiners within it there is a formulary that contains Board members that are from other professional boards and, forgive me, I don't have the list of the members in front of me. It is unique that naturopathic doctors need to have approval from the Formulary Council to prescribe. And every additional, like, drug that they would like to prescribe, they need permission from the Formulary Council to do so. That group is -- has not been able to meet in some time. So we have not been able -- they have not been able to make some of those decisions. So that would be the unresolved nature of the formulary there. And I did go out of order. So that's number three.

Number two is the controls, otherwise unrelated drugs and unrelated activity. So the Board of Pharmacy has inspectors. They're actually unclassified positions statutorily, and they are also agents of the DEA. So they do inspections of pharmacies within the State of New Hampshire. They have authority to provide those inspectional services.

At this point, we're working on implementing a process that will encompass this Board. So you will be hearing from us at a future date about the Pharmacy Inspection Audit that we have dating from 2015; and encompassed in that as we are moving forward with those findings would include this statutory permission as well. Happy to pause there for questions.

CHAIRMAN GRIFFIN: Thank you. Thank you. Yes, Senator.

SEN. ROSENWALD: I'm particularly concerned about these pharmaceutical observations, because I was telling a couple of the members when I was first elected to the Legislature they had cocaine on their formulary. It is no longer there. But -- um -- I can't think when -- how long ago that would have been an appropriate drug to prescribe for treatment. I don't think there's a pharmacy in this state that could dispense it; but -- um -- it's almost like the fox guarding the hen house the way their Formulary Advisory Council is set up to the Board.

So, I wonder if we should relook at the statute considering who is on the Formulary Advisory Council, especially since they haven't been able to meet.

MS. JURIS: Yes, that certainly would be within your purview to look at the statute and happy to implement whatever you pass or to provide feedback on any suggestions that you may have.

CHAIRMAN GRIFFIN: Anyone else? Well, we want to thank you very much.

(Senator Rosenwald leaves the Committee Room.)

CHAIRMAN GRIFFIN: Guess what? We've moved to the Status of Ongoing Audits. We pretty much used up our -- our -- we pretty much used up our hour, but I don't think there's anything scheduled here. And -- and I know Senator -- the Senator had to leave for another meeting, so.

LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE

October 3, 2025

3. Status of Ongoing Audits

CHRISTINE YOUNG, Director, Audit Division, Office of Legislative Budget Assistant: That's okay, Mr. Chairman. We can be quick.

CHAIRMAN GRIFFIN: The floor is yours.

MS. YOUNG: Thank you. Thank you, Mr. Chairman, and Committee Members. For the record, my name's Christine Young. I'm the Director of Audits for the LBA. And with me is Jay Henry, Performance Audit Supervisor.

I will start with the State Oversight of Special Education. Our field work on this audit is complete. We are writing observations in the other sections of the report right now. Twenty observations have been sent to the Department, and we have received auditee responses on all of those. We will not be sending anymore batches of observations to the Department. The Department prefers to wait until we have a full draft report at this time. So we will hold off on sending more batches of observations to the Department. A full draft report at this point is expected to be completed sometime in the first quarter of 2026.

Moving on to the Education Freedom Accounts. Our field work on this audit is almost finished. We have identified 40 observations so far. And, of course, that number could

change as we move through the process. Some issues may be combined or separated.

Ten observations have been written, reviewed, and have been finalized so far, and those deal with initial eligibility and continued eligibility processes. And on this audit we are hopeful to have a draft report by mid-spring, and a presentation to the Fiscal Committee sometime in the summer.

And moving on to the Doorway Program. The team has been working to finalize the audit plan. We are finding it challenging right now to isolate and capture the financial activity for the Doorway Program in NHFirst. The program is funded by federal funds and funding from the Governor's Commission on Alcohol and Drug Abuse Prevention Treatment and Recovery. However, there doesn't seem to be an efficient way to run a report from NHFirst that would show us what the costs are to run the program from all sources of funding.

The financial activity is scattered throughout multiple accounts, and it's not organized using a unique identifier. And there are also other state programs that deal with substance use and opioid use disorders. And we're trying to exclude those so that we can isolate the costs for the Doorway Program. It's been time intensive and a very manual effort. And we've been working with Department of Health and Human Services on that.

The long-term outlook for Doorways is to have a draft report in January or February, and the final report to the

Fiscal Committee in March or April. And I think that is it, unless you have questions.

CHAIRMAN GRIFFIN: Any questions? Yes, Senator Pearl.

SEN. PEARL: Thank you. Can I backup to the Education Freedom Accounts? So have the recent changes that we made in statute going to impact your audit at all as far as -- you were talking about qualification -- uh -- you know, the -- um -- issues you had about qualifications. Will -- will our -- will the changes that we made that in statute going to impact your audit?

MS. YOUNG: Yes. We have had to consider the changes that were made to the statute. And I think you'll find when you read some of our observations, we will have language in there acknowledging the fact that there had been changes made to the statute.

SEN. PEARL: Okay. Thank you.

CHAIRMAN GRIFFIN: Thank you.

MS. YOUNG: Thank you very much.

4. Other Business:

CHAIRMAN GRIFFIN: I guess we're going to move on to Other Business. Is there any Other Business? Hearing,

seeing none, I'll -- the next thing is the date of the next meeting.

5. Date of next meeting and adjournment

CHAIRMAN GRIFFIN: I'm tentatively going to schedule it for November 7th which is the first sat -- the first Friday of the month, as we have been doing at the same time 10 a.m. It will be up the -- it'll be up Granite Place. I don't know the room yet. I'll find out. If there's a conflict and we got to move, it'll be in the calendar. So check your calendar to firm it up.

REP. WEYLER: I plan to be on a trip.

CHAIRMAN GRIFFIN: Okay. Anyone else? Okay.

MR. HENRY: I have one question. For the next meeting in November, did you want to invite the -- any other agencies to come before you?

CHAIRMAN GRIFFIN: There's -- there's not much open at this point, right?

MR. HENRY: There's just four reports that are sort of in the red. Two of them are Boards and two of them are from the Department of Corrections.

CHAIRMAN GRIFFIN: Yeah.

MR. HENRY: I know I did give a heads up to the Department of Corrections so they know that they should be working on it.

CHAIRMAN GRIFFIN: Yeah, they just changed, so we don't want to have them in too fast.

MR. HENRY: Right. And the other two are the Boards run by the OPLC.

CHAIRMAN GRIFFIN: Yeah. Well, probably we should have the other Boards in. Otherwise, we won't have an agenda.

MR. HENRY: Well, that's what I was wondering what -- yeah.

CHAIRMAN GRIFFIN: Maybe we could have them both in and just be understanding that the Department of Corrections is -- is dealing with, you know, new people; but we could still have them in, and maybe they made progress. Yes, Representative Weber.

REP. WEBER: Thank you, Mr. Chairman. Um -- I would just concur with that. I think there are always issues going forward, personnel changes -- um -- stuff happens. And I think just a check-in is not a bad idea, just to make sure that we're progressing in the right direction. So I would very much encourage scheduling all four and simply seeing if we can't before the holidays sort of wipe that off the slate for a bit.

CHAIRMAN GRIFFIN: {Inaudible}.

REP. WEBER: Exactly. Thank you.

CHAIRMAN GRIFFIN: Let's see what we can do to fill the schedule up.

MR. HENRY: All right. I'll talk to both OPLC and Department of Corrections and see what they can have ready.

CHAIRMAN GRIFFIN: Maybe we'll get December off. Okay. Motion to adjourn.

** SEN. PEARL: So moved.

CHAIRMAN GRIFFIN: {Inaudible}. Second Representative Weber. All in favor? Thank you all for coming.

SEN. PEARL: Thank you, Mr. Chair.

(Adjourned.)

C E R T I F I C A T E

I, Cecelia A. Trask, RPR, RMR, and a Licensed Court Reporter in the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of the You Tube audio/video recording on said date. I was not physically present and have transcribed said audio/video recording to the best of my ability, skill, knowledge and belief.

This Certification applies only to those originals and copies which bear my signature and seal.

Cecelia A. Trask

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