**It Takes a Village- Community support that is loving, caring and consistent has a positive impact on families struggling with addiction and poverty**

***NH struggles to keep families together***

NH has had a 387% increase in the number of children removed from substance abuse environments, according to 2010-2015 statistics. Two years later one can only imagine how those numbers have grown and how many more children have been separated from loved ones, exposed to parental drug use and have languished in a backed-up system waiting for a permanent home. In 2010, 89 children were removed from substance abusing parents or guardians and in 2015, 329 children were removed. The number of babies DCYF was aware of who were born exposed to drugs/alcohol in 2012 was 155, by 2016 the numbers have soared to 467 infants. From 2014 to the first few months of 2017, the need for foster care placements has risen more than 25% and licensed foster homes (as of 2014) were down over 30%. Info retrieved from: NH DHHS DCYF 2015-2019 Child and Family Services Plan: [www.dhhs.nh.gov/dcyf/documents/nhdcyf%202015-2019cfsp.pdf](http://www.dhhs.nh.gov/dcyf/documents/nhdcyf%202015-2019cfsp.pdf)

Seacoast Online: Help Children Caught in Drug Crisis, (May 2017): [www.seacoastonline.com/news/20170521/help-children-caught-in-drug-crisis](http://www.seacoastonline.com/news/20170521/help-children-caught-in-drug-crisis)

Seacoast Online: <http://www.seacoastonline.com/news/20170526/perfect-storm-for-children-in-need>

***New England states have the highest ranking drug problems in the US***

Many of these substance misusing parents have children, so the shortage of foster parents in NH could soon reach epic proportions. According to DCYF stats we already have 269 less foster homes now than in 2014. See: The NH DHHS DCYF 2015-2019 Child and Family Services Plan: [www.dhhs.nh.gov/dcyf/documents/nhdcyf%202015-2019cfsp.pdf](http://www.dhhs.nh.gov/dcyf/documents/nhdcyf%202015-2019cfsp.pdf)

***Children entering foster care at alarming rates***

In the US the Administration indicates the rate of infants entering child welfare systems rose from 10.8 per 1000 to 11.4 per 1000 in 2014 over 2013 and that 30% of foster care placements were impacted by parental substance use. See: <http://www.cwla.org/wp-content/uploads/2016/02/CWLA-Summary-of-Presidents-FY-2017-Childrens-Child-Welfare-Budget.pdf>

***NH leads the country in overdoses***

In 2015 the CDC stated that NH was 1 of the top 5 states with the highest rates of death due to drug overdose (34.3 per 100,000). Per capita, NH is now ranked #2 in the nation for the highest rates of death from drugs! See: <https://www.cdc.gov/drugoverdose/data/statedeaths.html> <https://wallethub.com/edu/drug-use-by-state/35150/>

***NH has the 4th highest drug use and addiction ranking in the country!***

A recent analysis examined all 50 U.S. states and the District of Columbia across three categories: drug use and addiction, law enforcement, and drug health issues and rehab. See: <http://health.usnews.com/wellness/health-buzz/articles/2017-05-15/the-10-states-with-the-biggest-drug-problems>

***Parenting and Substance Abuse***

The removal of NH children from substance abuse environments has risen 387% in the past 7 years!

Abuse of drugs or alcohol by parents and other caregivers can have negative effects on the health, safety, and well-being of children. According to the information from the Children's Bureau and the Child Welfare Gateway's Parental Drug Use is Child Abuse report, many States have responded to the abuse of drugs or alcohol problem by expanding the civil definition of child abuse or neglect to include this concern. “Abused and neglected children in NH are often not being cared for as they should be, and policymakers, parents and citizens need to take action before we let one more child suffer." See: <http://www.seacoastonline.com/news/20170526/perfect-storm-for-children-in-need>

***Parental Substance Abuse is a Factor in Approximately 80% of Cases Referred to DCYF***

NH has the 3rd highest re-entry rate in the U.S. for children re-entering foster care within a year of being reunified. NH also has the 2nd highest drug overdose death rate in the nation. One cannot underestimate how closely these statistics are related. For each overdose death in NH, at least 10 individuals are estimated to have survived. The number of living substance misusers expands further. Several are impaired but do not overdose. Many of these people have children who end up in foster care.

According to the state's DHHS, more than 20,000 reports of neglect and abuse are now made annually in NH. Most cases are not related to abuse. Neglect and parental substance abuse are the primary factors in approximately 80% of cases referred to DCYF. Dr. Julie Kim, in a September 2017 Concord Monitor article reports that sadly 60-80% of parents whose children enter protective services were once referred as children themselves. She goes on to say, children learn the behaviors modeled by their parents and that the problems that come from opioid addiction pass through generations. Dr. Kim believes that a parent's fight to re-gain custody of their child is synonymous to fighting to keep one's children out of foster care. Unfortunately, a vast majority of these children enter kinship care or are placed with other guardians, or foster care with strangers. Meanwhile, parents have 12 months to become successfully rehabilitated and be reunified with their children. DCYF either does not have the resources to hold parents accountable or they are not willing to look at the larger issue facing NH's child welfare system. Parents may win their court case, but too many are losing the battle for sustainable sobriety and the cycle most often continues.

Children deserve to grow up in a safe and drug free environment. Staff retention and additional CPSW's at DCYF would be helpful, but it is not the ultimate solution. More and more children are predicted to enter or re-enter foster care due to parental drug use and overdoses. The culture of how NH handles substance misusing or abusing parents needs to change.

***Percent of children taken from families for substance abuse doubled in 4 years***

A report released from the University of New Hampshire is shining a light on those living in the shadows of the state’s opioid epidemic: the children who live with their parents’ addictions.

The study says the number of children or youths removed from parental care increased by nearly 200 from 2012 to 2016, and cases that included a substance-related allegation doubled from 30 percent to 60 percent. The *Carsey School of Public Policy* conducted the research and consulted several child welfare organizations, including the Division for Children, Youth and Families, and more than 40 experts from New Hampshire.

The research showed that having a parent abusing opioids can have negative consequences on child development, including emotional or behavioral problems and increased likelihood of the child using drugs by age 14.

Study author Kristin Smith said the opioid epidemic in New Hampshire has both hit families and service organizations hard.

“The opioid epidemic in New Hampshire has strained not only the families coping with addiction but also the service providers who work with children and families,” said Smith, family demographer at the *Carsey School* and research associate professor of sociology, in a press release. “Founded and unfounded cases of child abuse and neglect increasingly involve substance-use-related allegations or a noted risk for substance use.”

The number of children or youths taken from parental care went from 358 in 2012 to 547 in 2016, according to the study, while those that included a substance-related allegation doubled.

Smith’s research also found a 21 percent increase, from 9,248 in 2013 to 11,197 in 2016, in the overall number of child abuse and neglect cases accepted for assessment by New Hampshire’s Division for Children, Youth and Families.

Retrieved from the Concord Monitor, June 6, 2018 article: <https://www.concordmonitor.com/children-unh-carsey-school-research-opioid-drug-17980751>

**NH Laws**

***Criminal Code Chapter 639-A:2***

Methamphetamine-Related Crimes clearly states that it is against the law for someone to willingly engage in the creation, usage, storage or disposal of meth related products or paraphernalia. It's against the law in NH to expose a child to meth or obtaining this drug. Why don't we have a law about the harm caused to children by exposure to other illegal drug activity such as heroin? Foster parents have a unique perspective on how a parent's substance abuse has caused harm to their foster child and our legislators at the State House need to hear from you to support changes in our legislature. This is how we can collectively support safer reunifications and help birth parents get the help they need for successful rehabilitation. Tell your legislator that we need 639-A:2 needs to be revised to include other substances and that you support The Child Protection Act 169-C:12-e and you agree that a parent's drug use causes harm to children. For more information go to: The National Institute on Drug Use.

***308:1  Statement of Findings***

The general court finds and declares that the state of New Hampshire is facing an epidemic regarding the misuse and abuse of opiates, including, but not limited to, heroin and fentanyl.  A parent's use of these drugs can pose a substantial threat to the safety of the children living in the home. Consistent with the purposes of the child protection act, this act will help the department to insure the safety of the children living in the home, will enable the department to provide services to the parents and family to help them address their drug use so that they can safely parent their children and shall be administered to insure the preservation and unity of the family whenever possible. June 1, 2016, CHAPTER 308, SB 515-FN

***Section 169-C:12-e [RSA 169-C:12-e repealed by 2016, 308:5, effective July 1, 2020]***

169-C:12-e Rebuttable Presumption of Harm. – Evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a rebuttable presumption that the child's health has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent's compliance with treatment for such use or dependence. Source. 2016, 308:2, eff. June 21, 2016. <http://www.gencourt.state.nh.us/rsa/html/xii/169-c/169-c-mrg.htm>

**Section 169-C:12-d Court-Ordered Alcohol and Drug Testing**

The court may order alcohol or drug testing at any stage of the proceeding where substance abuse is an ongoing issue in the case, where alcohol or drug use is a disputed issue of fact, or where there is reason to believe that alcohol or drug use may be substantially interfering with a parent's ability to adhere to the case plan. Unless otherwise ordered by the court, the frequency and type of such testing shall be at the discretion of the department. Source. 2016, 308:3, eff. July 1, 2016.<http://www.gencourt.state.nh.us/rsa/html/xii/169-c/169-c-mrg.htm>

***AN ACT relative to the child welfare system***

 I. Establishes an excess appropriation allocation account in the department of health and human services for the biennium ending June 30, 2019 and authorizes the department to fund certain positions through a combination of federal funds and funds from the account.

 II. Authorizes the department to fund foster care rate increases and foster care and adoption programs with a combination of federal funds and funds from the excess appropriation allocation account.

 III. Waives reimbursement for voluntary services under the child protection act.

 IV. Clarifies consent for medical treatment of children under guardianship or in foster care.

 V. Establishes a home visiting services initiative, child care services initiative, and parental assistance programs.

VI. Establishes a committee to study family drug court models.

Approved: June 26, 2018

Effective Date:

I. Sections 1 and 18 shall not take effect.

II. Section 17 shall take effect June 26, 2018.

III. Remainder shall take effect July 1, 2018.

See: <http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2018&id=1835&txtFormat=html>