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NEW HAMPSHIRE
COUNCIL ON
DEVELOPMENTAL DISABILITIES

November 21, 2022

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the New Hampshire Council on Developmental Disabilities to enter into a **sole source** contract amendment with the Disability Rights Center (DRC), Concord, NH (vendor number 155196), by increasing the contract price by \$25,000, from \$50,000 to \$75,000 and extending the completion date from April 15, 2023 to June 30, 2023, for the purpose of building and maintaining a coalition of people with disabilities, family members, advocates, service providers and others to identify barriers and opportunities to expand the use of supported decision making in New Hampshire. The original contract was approved by Governor and Council on March 9, 2022, item #41. Effective upon Governor and Council approval. 100% Federal Funds. The funds to support this request are available in the following account:

01-97-97-970010-71350000 – Developmental Disabilities Council	
Class 072-500575, Grants Federal	
FY 2022	\$25,000.00
FY 2023	\$50,000.00

EXPLANATION

This request is **sole source** because the amendment exceeds 10% of the dollar amount of the original contract. This contract provides funding to help promote the use of supported decision making across New Hampshire utilizing a variety of strategies:

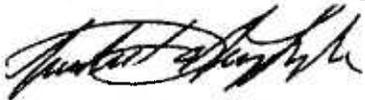
- Build and maintain a coalition of people with disabilities, family members, advocates, service providers and others to identify barriers and opportunities to expand the use of supported decision making in New Hampshire. This group will meet approximately six times during the project and engage via email in between meetings.
- Conduct review of barriers to Supported Decision Making in current policies, procedures, informal guidance, and information for people with disabilities and older adults, families, service providers, and the legal community. Take steps to address these barriers as

opportunities arise (for example as the state considers revisions to rules, as the Department of Education issues guidance to schools, as area agencies and service providers update their websites or policies).

- Provide technical assistance to people with disabilities and their supporters as they seek to develop and implement supported decision making.
- Conduct six trainings for people with disabilities and family members through contracts with ABLE NH and NH Family Voices.
- Conduct trainings with other stakeholders.
- Develop resources to assist people with disabilities and their supporters as they consider and implement supported decision making. DRC-NH will develop a range of resources which may include brochures, booklets, videos, question and answers. These resources will be fully accessible to people with disabilities and utilize plain language whenever possible.
- Representation of people with disabilities to challenge unnecessary guardianships.

The request increases the allowance for the Disability Rights Center (DRC) to meet the increasing needs of the developmental disabilities community. The demand for assistance and trainings in an environment of staffing shortages heightens the critical importance of the support being offered by the DRC. The NH Council on Developmental Disabilities is committed to supporting collaborative partners who promote the independence and productivity of people with developmental disabilities and promote systems change that will eliminate obvious inequities in areas such as employment, education, and access to healthcare.

Respectfully Submitted,



Isadora Rodriguez-Legendre
Executive Director



NEW HAMPSHIRE
COUNCIL ON
DEVELOPMENTAL DISABILITIES

October 28, 2022

Disability Rights Center
64 North Main Street
Suite 2, 3rd Floor
Concord, NH 03301-4913

Dear Stephanie Patrick,

This letter amends the attached and previously approved contract dated February 7, 2022, in the following manner:

Original Completion Date	April 15, 2023
By this letter, amended to	June 30, 2023

And

Original contracted amount	\$50,000.00
By this letter, amended to	\$75,000.00

This is a no-additional-cost change order for these changes.

This amendment become effective upon approval by the Governor and Council

Sincerely,

Isadora Rodriguez-Legendre
Executive Director

AGREEMENT AMENDMENT

DISABILITY RIGHTS CENTER

64 North Main Street
Suite 2, 3rd Floor
Concord, NH 03301-4913

IN WITNESS WHEREOF the parties hereto have executed this amended **AGREEMENT** on the day and year first above written.

Disability Rights Center

By: *Stephanie Patek*
Executive Director
Dated: 11/09/2022

Witness

By: *Don Kelley*
Don Kelley
Dated: 11/9/22

NH Council on Developmental Disabilities

By: *Pamela Stiles*
Executive Director
Dated: 11-8-22

Witness

By: *Pamela Stiles*
Pamela Stiles
Dated: 11-8-22

Attorney General

This is to certify that the above-amended AGREEMENT has been reviewed by this office and is approved as to form and execution:

By: *[Signature]*

Dated: 11/18/22

State of New Hampshire

Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that DISABILITY RIGHTS CENTER-NEW HAMPSHIRE, INC. is a New Hampshire Nonprofit Corporation registered to transact business in New Hampshire on May 23, 1977. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: 60226

Certificate Number: 0005661989



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 7th day of February A.D. 2022.

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner
Secretary of State

Certificate of Authority # 2

(Corporation, Non-Profit Corporation)

Corporate Bylaws

I, Katherine Epstein, hereby certify that I am duly elected Chair/Officer of
(Name)
Disability Rights Center - NH. I hereby certify the following is a true copy of the
(Name of Corporation)

current Bylaws or Articles of Incorporation of the Corporation and that the Bylaws or
Articles of Incorporation authorize the following officers or positions to bind the
Corporation for contractual obligations DRC-NH Executive Director
(list officer titles or position)

I further certify that the following individuals currently hold the office or positions
authorized: Stephanie Patrick
(list individuals holding positions authorized)

I further certify that it is understood that the State of New Hampshire will rely on this
certificate as evidence that the person listed above currently occupies the position indicated
and that they have full authority to bind the corporation. This authority **shall remain valid**
for thirty (30) days from the date of this certificate.

DATED: 12/13/22

ATTEST: Katherine Epstein
Chair, DRC-NH
Board of Directors
(Name & Title)

DRC DISABILITY RIGHTS CENTER - NH

64 North Main Street, Suite 2, Concord, NH 03301-4913 • mail@drcnh.org • drcnh.org
(603) 228-0432 • (800) 834-1721 voice or TTY • FAX: (603) 225-2077

Mission:

Disability Rights Center – New Hampshire protects, advances, and strengthens the legal rights and advocacy interests of all people with disabilities.

Vision:

We envision an inclusive, accessible, and just society:

- Where all are treated with dignity and respect.
- Where people with disabilities live the lives that they choose, lives that are free from abuse, neglect, and discrimination.
- Where people with disabilities have equal opportunity to participate fully in their community and enjoy their lives.

Protection and Advocacy System for New Hampshire

January 27, 2022

To the Board of Directors
Disability Rights Center – NH, Inc.

We have audited the financial statements of Disability Rights Center – NH, Inc. (a nonprofit organization) for the year ended September 30, 2021, and have issued our report thereon dated January 27, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated November 8, 2021. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Disability Rights Center – NH, Inc. are described in Note 1 to the financial statements. During the year ended September 30, 2021, Disability Rights Center – NH, Inc. adopted and implemented Accounting Standards Update (ASU) 2014-09 *Revenue from Contracts with Customers (Topic 606)*. There was no effect on beginning of the year balances as a result of adoption of the new standard. We noted no transactions entered into by Disability Rights Center – NH, Inc. during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimates of the useful lives of depreciable fixed assets are based on historical utilization of assets, necessary improvements and replacements. We evaluated the key factors and assumptions used to develop the useful lives of depreciable fixed assets in determining that they are reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated January 27, 2022.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to Disability Rights Center – NH, Inc.'s financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management prior to retention as Disability Rights Center – NH, Inc.'s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We were engaged to report on the schedule of expenditures of federal awards, which accompanies the financial statements but is not required supplementary information. With respect to the supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Board of Directors and management of Disability Rights Center – NH, Inc. and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Vashon Clukey & Company PC

Disability Rights Center – NH, Inc.
Financial Statements
With Schedule of Expenditures of Federal Awards
September 30, 2021 and 2020

and
Independent Auditor's Report

**Report on Internal Control Over Financial Reporting
and on Compliance and Other Matters Based on an Audit
of Financial Statements Performed in Accordance
With *Government Auditing Standards***

**Report on Compliance for Each Major Federal Program
and Report on Internal Control Over Compliance
Required by the Uniform Guidance**

Schedule of Findings and Questioned Costs

DISABILITY RIGHTS CENTER - NH, INC.
FINANCIAL STATEMENTS
September 30, 2021 and 2020

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INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Disability Rights Center – NH, Inc.

Report on the Financial Statements

We have audited the accompanying financial statements of Disability Rights Center - NH, Inc. (a nonprofit organization), which comprise the statements of financial position as of September 30, 2021 and 2020, and the related statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Disability Rights Center - NH, Inc. as of September 30, 2021 and 2020, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Other Information

Our audits were conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated January 27, 2022, on our consideration of Disability Rights Center - NH, Inc.'s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of Disability Rights Center - NH, Inc.'s internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Disability Rights Center - NH, Inc.'s internal control over financial reporting and compliance.

Vashon Clukey & Company PC

Manchester, New Hampshire
January 27, 2022

DISABILITY RIGHTS CENTER - NH, INC.
STATEMENTS OF FINANCIAL POSITION
September 30, 2021 and 2020

	<u>2021</u>	<u>2020</u>
ASSETS		
CURRENT ASSETS:		
Cash	\$ 497,363	\$ 311,111
Cash, restricted	53,925	19,662
Investments	1,314,925	1,432,321
Grants and contracts receivable	154,832	264,400
Prepaid expenses	<u>38,038</u>	<u>33,199</u>
TOTAL CURRENT ASSETS	<u>2,059,083</u>	<u>2,060,693</u>
PROPERTY AND EQUIPMENT:		
Leasehold improvements	10,000	10,000
Furniture and equipment	<u>17,849</u>	<u>17,849</u>
	27,849	27,849
Less accumulated depreciation	<u>(24,720)</u>	<u>(23,215)</u>
PROPERTY AND EQUIPMENT, NET	<u>3,129</u>	<u>4,634</u>
OTHER NONCURRENT ASSETS:		
Deposits	<u>5,457</u>	<u>7,424</u>
TOTAL OTHER NONCURRENT ASSETS	<u>5,457</u>	<u>7,424</u>
TOTAL ASSETS	<u>\$ 2,067,669</u>	<u>\$ 2,072,751</u>
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES:		
Accounts payable	\$ 5,940	\$ 14,534
Accrued payroll and benefits	78,609	91,541
Other liabilities	22,711	17,272
Deposits held for others	<u>53,925</u>	<u>19,662</u>
TOTAL CURRENT LIABILITIES	<u>161,185</u>	<u>143,009</u>
TOTAL LIABILITIES	<u>161,185</u>	<u>143,009</u>
NET ASSETS:		
Without donor restrictions:		
Undesignated	800,926	761,759
With donor restrictions:		
Purpose restrictions	1,069,608	1,128,983
Time restrictions	<u>35,950</u>	<u>39,000</u>
TOTAL NET ASSETS	<u>1,906,484</u>	<u>1,929,742</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 2,067,669</u>	<u>\$ 2,072,751</u>

See notes to financial statements

DISABILITY RIGHTS CENTER - NH, INC.
STATEMENTS OF ACTIVITIES
For the Years Ended September 30, 2021 and 2020

	<u>2021</u>	<u>2020</u>
CHANGES IN NET ASSETS WITHOUT DONOR RESTRICTIONS		
SUPPORT AND REVENUE:		
Contributions	\$ 19,628	\$ 19,298
Government grants and contracts	1,518,525	1,393,469
Legal fees	800	827
Miscellaneous income	607	152
Interest and dividends, net	9,151	27,836
Realized gains on investments	3,043	3,100
Unrealized gains on investments	49,906	8,315
TOTAL SUPPORT AND REVENUE WITHOUT DONOR RESTRICTIONS	<u>1,601,660</u>	<u>1,452,997</u>
NET ASSETS RELEASED FROM RESTRICTIONS:		
Satisfaction of donor restrictions	<u>170,293</u>	<u>84,088</u>
TOTAL NET ASSETS RELEASED FROM RESTRICTIONS	<u>170,293</u>	<u>84,088</u>
TOTAL REVENUES AND OTHER SUPPORT WITHOUT DONOR RESTRICTIONS	<u>1,771,953</u>	<u>1,537,085</u>
EXPENSES:		
Program services	1,639,614	1,421,513
Management and general	87,941	83,282
Fundraising and development	5,231	7,211
TOTAL EXPENSES	<u>1,732,786</u>	<u>1,512,006</u>
TOTAL INCREASE IN NET ASSETS WITHOUT DONOR RESTRICTIONS	<u>39,167</u>	<u>25,079</u>
CHANGES IN NET ASSETS WITH DONOR RESTRICTIONS		
Government grants and contracts	94,425	230,127
Legal fees	13,443	16,433
Net assets released from restrictions	(170,293)	(84,088)
(DECREASE) INCREASE IN NET ASSETS WITH DONOR RESTRICTIONS	<u>(62,425)</u>	<u>162,472</u>
CHANGE IN NET ASSETS	(23,258)	187,551
NET ASSETS, OCTOBER 1	<u>1,929,742</u>	<u>1,742,191</u>
NET ASSETS, SEPTEMBER 30	<u>\$ 1,906,484</u>	<u>\$ 1,929,742</u>

See notes to financial statements

DISABILITY RIGHTS CENTER, INC.
 STATEMENT OF FUNCTIONAL EXPENSES
 For the Year Ended September 30, 2020

	Program Services										Special Education /		Total		Management and		Total	
	EA00	EA01	EA02	EA03	EA04	EA05	EA06	EA07	EA08	EA09	EA10	EA11	EA12	EA13	EA14	EA15		EA16
ALLIANCE AND RELATED EXPENSES:																		
Salaries and wages	\$ 121,580	\$ 233,922	\$ 372,255	\$ 51,675	\$ 195,253	\$ 41,647	\$ 52,613	\$ 51,783	\$ 51,86	\$ -	\$ -	\$ 991,536	\$ 52,149	\$ 3,175	\$ 1,046,830			
Payroll taxes	24,133	17,633	2,813	4,644	14,819	3,136	3,999	3,892	-	-	-	74,629	3,944	238	78,811			
Employee benefits	48,027	33,120	5,922	9,861	23,280	7,817	5,776	7,052	-	-	13,262	7,252	318	161,036				
	<u>307,920</u>	<u>283,746</u>	<u>419,900</u>	<u>67,280</u>	<u>243,644</u>	<u>51,400</u>	<u>63,348</u>	<u>63,733</u>	<u>51,86</u>	<u>-</u>	<u>-</u>	<u>1,219,417</u>	<u>63,348</u>	<u>3,932</u>	<u>1,286,697</u>			
OTHER EXPENSES:																		
Client costs	790	179	164	8	1,016	348	-	16	183	120	2,824	262	-	3,086				
Travel	434	138	31	415	217	9	1,694	2	-	-	2,960	101	-	3,061				
Conferences	1,314	1,378	224	271	681	165	348	799	-	-	4,680	183	36	4,901				
Continuing Care study/ Outreach education	2,711	2,280	438	763	1,476	335	186	692	-	864	10,176	10,551	367	21,115				
Space	26,894	18,843	3,099	5,163	16,335	3,277	5,192	4,102	-	-	82,815	3,263	244	86,321				
Telephone	593	421	70	108	366	74	1,216	88	1,484	-	4,420	175	5	4,600				
Cables and web hosting	845	548	96	158	317	107	162	125	-	-	2,398	103	7	2,708				
Office supplies	3,700	2,536	417	717	2,257	444	915	602	-	-	9,801	350	31	12,276				
Office equipment	1,293	1,881	179	229	715	54	189	73	1,290	-	1,707	190	19	3,007				
Printing	579	375	63	99	315	589	929	763	-	-	15,072	595	48	15,715				
Library	4,872	3,478	536	940	2,933	589	766	675	-	193	11,012	844	17	11,893				
Meal/entertainment	3,274	2,372	408	788	1,786	432	324	239	-	-	5,328	207	16	5,551				
Physical plant	1,752	1,244	210	319	1,031	205	134	24	-	-	7,343	1,019	22	7,863				
Professional fees	157	110	18	30	96	30	473	371	-	-	7,413	298	1	7,863				
Transportation	2,445	1,217	275	467	1,494	301	30	24	-	-	13,046	759	5	13,983				
Advertising	4,176	3,002	475	816	2,450	530	838	705	-	-	1,190	66	91	1,247				
Administrative costs	133	240	-	131	214	71	119	119	-	-	14,506	562	-	15,077				
Board expenses	213	240	83	131	214	71	119	119	-	-	14,506	562	-	15,077				
Other functional fees																		
Total	<u>\$ 449,802</u>	<u>\$ 326,748</u>	<u>\$ 52,742</u>	<u>\$ 78,802</u>	<u>\$ 277,813</u>	<u>\$ 59,546</u>	<u>\$ 76,007</u>	<u>\$ 71,941</u>	<u>\$ 10,312</u>	<u>\$ 17,994</u>	<u>\$ 14,506</u>	<u>\$ 1,421,313</u>	<u>\$ 83,322</u>	<u>\$ 3,007</u>	<u>\$ 1,512,036</u>			

See notes to financial statements
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DISABILITY RIGHTS CENTER - NH, INC.
STATEMENTS OF CASH FLOWS
For the Years Ended September 30, 2021 and 2020

	<u>2021</u>	<u>2020</u>
CASH FLOWS FROM OPERATING ACTIVITIES:		
Change in net assets	\$ (23,258)	\$ 187,551
Adjustments to Reconcile (Decrease) Increase in Net Assets to to Net Cash Provided by Operating Activities:		
Net unrealized gains on investments	(49,906)	(8,315)
Depreciation	1,505	1,505
Changes in assets and liabilities:		
Grants and contracts receivable	109,568	(122,736)
Prepaid expenses	(4,839)	(1,814)
Deposits	1,967	(971)
Accounts payable	(8,594)	(5,265)
Accrued payroll and benefits	(12,932)	27,919
Other liabilities	5,439	13,985
Deferred revenue	34,263	19,662
Net Cash Provided by Operating Activities	<u>53,213</u>	<u>111,521</u>
CASH FLOWS FROM INVESTING ACTIVITIES:		
Purchase of investments		(30,003)
Sale of investments	<u>167,302</u>	
Net Cash Provided (Used) for Investing Activities	<u>167,302</u>	<u>(30,003)</u>
NET INCREASE IN CASH AND CASH EQUIVALENTS	220,515	81,518
Cash and cash equivalents, beginning of year	<u>330,773</u>	<u>249,255</u>
Cash and cash equivalents, ending of year	<u>\$ 551,288</u>	<u>\$ 330,773</u>

See notes to financial statements

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS
For the Years Ended September 30, 2021 and 2020

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization and Purpose

Disability Rights Center – NH, Inc. (the Entity) was organized in 1978 and is dedicated to the full and equal enjoyment of civil and other legal rights by persons with disabilities. The Entity is the designated Protection and Advocacy system for the State of New Hampshire on behalf of individuals with disabilities.

The Entity has the following programs:

Protection and Advocacy for Individuals with Developmental Disabilities (PADD) is administered by the U.S. Department of Health and Human Services through the Administration for Community Living. The objective of this program is to protect and advocate for the legal and human rights of individuals with developmental disabilities, thus becoming independent, productive, and integrated members of their communities.

Protection and Advocacy for Individuals with Mental Illness (PAIMI) is administered by the U.S. Department of Health and Human Services through the Substance Abuse and Mental Health Services Administration. The objective of this program is to protect and advocate for the rights of individuals with mental illness, to include investigating reported incidents of abuse and neglect, and serious injury and deaths that may occur in public and private care and treatment facilities.

Protection and Advocacy for Traumatic Brain Injury (PATBI) is administered by the U.S. Department of Health and Human Services through the Administration for Community Living. The objective of this program is to improve access to health and other services for individuals with traumatic brain injury and their families and to enhance the recovery, independence, and quality of life of persons with brain injury through advocacy for legal rights.

Protection and Advocacy for the Help America Vote Act (PAVA) is administered by the U.S. Department of Health and Human Services through the Administration for Community Living. The objective of this program is to ensure full participation in the electoral process for individuals with disabilities through advocacy for education, training, and technical assistance.

Protection and Advocacy of Individual Rights (PAIR) is administered by the U.S. Department of Education through the Office of Special Education and Rehabilitative Services. The objective of this program is to protect and advocate for the legal and human rights of individuals with disabilities who are ineligible for advocacy services from other protection and advocacy programs, such as PADD or PAIMI, or the Client Assistance Program (CAP) administered by the State.

Protection and Advocacy for Assistive Technology (PAAT) is administered by the U.S. Department of Health and Human Services through the Administration for Community Living. The objective of this program is to assist in the acquisition, utilization, or maintenance of assistive technology or assistive technology services for individuals with disabilities.

Protection and Advocacy for Beneficiaries with Representative Payees (PABRP) is administered by the Social Security Administration. The objective of this program is to conduct periodic onsite reviews of

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

Representative Payees. In addition, the Entity will also conduct educational visits and conduct reviews based on allegations they receive of payee misconduct.

Protection and Advocacy for Beneficiaries of Social Security (PABSS) is administered by the Social Security Administration. The objective of this program is to provide information on vocational rehabilitation and employment services and advocate for beneficiaries with disabilities who need to secure, maintain, or reestablish gainful employment.

Expanding Disabilities Network's (P&As) Access to Covid 19 Vaccines (VACC) is administered by the U.S. Department of Health and Human Services through the Administration for Community Living. The objective of this program is to disseminate credible information about Covid-19 vaccines and to help individuals with disabilities to obtain vaccines. Additionally, to provide technical assistance to local health departments and other entities on vaccine accessibility.

Special Education and Covid-19 Law Project (SPECIAL) is funded by a variety of sources including NH Charitable Foundation, Granite United Way, Endowment for Health, and the Barr Foundation. This project is solely focused on protecting the educational rights of children with disabilities who have been affected by the Covid-19 pandemic through individual representation, system advocacy and public policy work.

The IOLTA grant award received from the New Hampshire Bar Association provides general operating support for attorneys working on behalf of individuals with disabilities.

Accounting Policies

The accounting policies of the Entity conform to accounting principles generally accepted in the United States of America as applicable to non-profit entities, except as indicated hereafter. The following is a summary of significant accounting policies.

Basis of Presentation

The financial statements have been prepared in accordance with the reporting pronouncements pertaining to Not-for-Profit Entities included within the FASB Accounting Standards Codification. The Entity is required to report information regarding its financial position and activities according to the following net asset classifications:

Net Assets Without Donor Restrictions – Net assets that are not subject to donor-imposed restrictions and may be expended for any purpose in performing the primary objectives of the Entity. These net assets may be used at the discretion of management and the Board of Directors.

Net Assets With Donor Restrictions – Net assets subject to donor or certain grantor imposed restrictions. Some donor imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

Basis of Accounting

The financial statements have been prepared on the accrual basis of accounting.

Revenues from program services are recorded when earned. Other miscellaneous revenues are recorded upon receipt.

Recognition of Donor Restrictions

Contributions are recognized when the donor makes a promise to give to the Entity that is, in substance, unconditional. Contributions that are restricted by the donor are reported as an increase in net assets without donor restrictions if the restriction expires in the reporting period in which the support is recognized. All other donor restricted support is reported as an increase in net assets with donor restrictions, depending on the nature of the restrictions. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statements of activities as net assets released from restrictions.

Cash and Cash Equivalents

For the purpose of the statements of cash flows, cash and cash equivalents consists of demand deposits, cash on hand, and restricted cash, which are required to be kept in a separate bank account, and all highly liquid investments with a maturity of 90 days or less.

	<u>2021</u>	<u>2020</u>
As presented on the Statements of Financial Position:		
Cash	\$ 497,363	\$ 311,111
Cash, restricted	<u>53,925</u>	<u>19,662</u>
	<u>\$ 551,288</u>	<u>\$ 330,773</u>

Investments

Investments, which consist of certificates of deposit, mutual funds, money market accounts, and equities, are reported at their fair values in the statements of financial position. Net investment return/(loss) is reported in the statements of activities and consists of interest income, realized and unrealized gains and losses, less external investment expenses.

Property and Equipment

Property and equipment are stated at cost. Donated property and equipment is recorded at fair value determined as of the date of the donation. The Entity's policy is to capitalize expenditures for equipment and major improvements with a cost in excess of \$5,000 and to charge to operations currently for expenditures which do not extend the lives of related assets in the period incurred. Depreciation is computed using the straight-line method at rates intended to amortize the cost of related assets over their estimated useful lives as follows:

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

	<u>Years</u>
Leasehold improvements	10
Furniture and equipment	5-10

Depreciation expense was \$1,505 for both the years ended September 30, 2021 and 2020, respectively.

Deposits Held for Others

Deposits held for others consist of funds that are held for the express purpose of third-party individuals and organizations and are therefore not available to support the Entity's own programs.

Compensated Absences

Employees of the Entity working full-time are entitled to paid time off. Vacation time is earned from the first day of work. A maximum of 6 weeks can be earned based on years of service while 5 days can be carried over and accumulated to the next year. Accumulated vacation time is payable upon termination of employment with proper notice. The Entity accrues accumulated vacation wages accordingly.

Donated Services, Materials and Facilities

The Entity benefits from volunteer time and effort. The value of these volunteer efforts, while critical to the success of its mission, is not reflected in the financial statements since it does not meet the criteria necessary for recognition according to generally accepted accounting principles.

Functional Allocation of Expenses

The costs of program and supporting services activities have been summarized on a functional basis in the statements of activities. The statements of functional expenses present the natural classification detail of expenses by function.

The financial statements report certain categories of expenses that are attributed to more than one program or supporting function. Accordingly, certain indirect costs have been allocated among the programs and supporting services benefited. The Entity's cost allocation method is based on actual direct hours worked. Direct costs which can be specifically identified to a program are charged directly. For expenses which all programs benefit, expenses are charged based on the proportion of direct hours worked in each program. Salaries, payroll taxes, and certain payroll benefits are allocated biweekly based on advocacy staff time directly allocated to the program. Other payroll benefits are allocated monthly based on each employee's time spent working on a specific program. Time not directly identifiable to a program is allocated proportionally using the average of advocacy staff time from the previous 12 weeks. All other costs are allocated monthly based on advocacy staff time.

Bad Debts

The Entity uses the reserve method for accounting for bad debts. No allowance has been recorded as of September 30, 2021 and 2020, because management of the Entity believes that all outstanding receivables are fully collectible.

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

Revenue and Revenue Recognition

The Entity recognizes contributions and miscellaneous revenue when cash is received. Investment income is recognized monthly when received. The Entity recognizes revenue from legal fees based on time and effort when the measurable performance is completed.

The Entity also has revenue derived from cost-reimbursable federal and state contracts and grants, which are conditional upon certain performance requirements and/or incurrence of allowable qualifying expenses. Amounts received are recognized as revenue without donor restrictions when the Entity has incurred expenditures in compliance with the specific contract or grant provisions. Amounts received prior to incurring qualifying expenditures are reported as revenue with donor restrictions, and amounts not yet received but already awarded are recorded as grants and contracts receivable.

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Income Taxes

The Entity has received a determination letter from the Internal Revenue Service stating that it qualifies for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code for any exempt function income. In addition, the Entity is not subject to state income taxes. Accordingly, no provision has been made for Federal or State income taxes.

FASB Accounting Standards Codification Topic 740 entitled *Accounting for Income Taxes* requires the Entity to report uncertain tax positions for financial reporting purposes. The Entity had no uncertain tax positions as of September 30, 2021 and, accordingly does not have any unrecognized tax benefits that need to be recognized or disclosed in the financial statements.

Fair Value of Financial Instruments

Cash and equivalents, accounts receivable, accounts payable and accrued expenses are carried in the financial statements at amounts which approximate fair value due to the inherently short-term nature of the transactions. The fair values determined for financial instruments are estimates, which for certain accounts may differ significantly from the amounts that could be realized upon immediate liquidation.

Change in Accounting Principle

The Financial Accounting Standards Board (FASB) issued new guidance that created Topic 606, *Revenue from Contracts with Customers*, in the Accounting Standards Codification (ASC). Topic 606 supersedes the revenue recognition requirements in FASB ASC 605, *Revenue Recognition*, and requires the recognition of revenue when promised goods or services are transferred to customers in an amount that reflects the consideration to which an entity expects to be entitled in exchange for those goods or services. The new guidance also added Subtopic 340-40, *Other Assets and Deferred Costs-Contracts with Customers*, to the ASC to require the deferral of incremental costs of obtaining a contract with a customer. Collectively, we refer to the new Topic 606 and Subtopic 340-40 as the “new guidance.”

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

The Entity adopted the requirements of the new guidance as of October 1, 2020, utilizing the modified retrospective method of transition. The new guidance was applied using the practical expedient provided in Topic 606 that allows the guidance to be applied only to contracts that were not complete as of October 1, 2020. Adoption of the new guidance resulted in changes to our accounting policies for revenue recognition, trade receivables, contract costs, contract liabilities, and deferred costs. However, management estimates that the effect of these changes on the amounts that would have been reported under the former guidance to be immaterial. Management has evaluated the impact of the application of this standard and determined any applicability to the Entity is not material.

NOTE 2—LIQUIDITY AND AVAILABILITY

The Entity regularly monitors the availability of resources required to meet its operating needs and other contractual commitments, while also striving to maximize the investment of its available funds. The Entity will strive to maintain, at a minimum, 6 months of operating expenses in reserve. Any use of the reserve for operating expenses, causing the Entity to maintain less than 6 months of operating expenses in reserve must be approved by the Board of Directors. For purposes of analyzing resources available to meet general expenditures over a 12-month period, the Entity considers all expenditures related to its ongoing programs and activities as well as the conduct of services undertaken to support those activities to be general expenditures.

The following table reflects the Entity’s financial assets as of September 30, 2021 and 2020, reduced by amounts that are not available to meet general expenditures within one year of the statement of financial position date because of donor and other restrictions or internal board designations. In the event of an unanticipated liquidity need, the Entity also could draw upon \$150,000 of its available line of credit, as further discussed in Note 6.

Financial assets available for general expenditure, reduced by donor or other restrictions limiting their use and internal board designations, within one year of the balance sheet date, comprise the following:

	<u>2021</u>	<u>2020</u>
Cash and equivalents	\$ 497,363	\$ 311,111
Investments	1,314,925	1,432,321
Grants and contracts receivable	<u>154,832</u>	<u>264,400</u>
Total Financial Assets	1,967,120	2,007,832
Less:		
Net assets with donor restrictions	<u>(1,105,558)</u>	<u>(1,167,983)</u>
Financial Assets Available to Meet Cash Needs for General Expenditures Within One Year	<u>\$ 861,562</u>	<u>\$ 839,849</u>

NOTE 3—CONCENTRATION OF CREDIT RISK

The Entity maintains bank deposits at local financial institutions located in New Hampshire. The Entity’s demand deposits are insured by the Federal Deposit Insurance Corporation (FDIC) up to a total of \$250,000. At September 30, 2021 and 2020, the Entity’s bank balances were fully insured.

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

NOTE 4—INVESTMENTS

Fair Value Measurements

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction in the principal, or most advantageous, market at the measurement date under current market conditions regardless of whether that price is directly observable or estimated using another valuation technique. The Entity reports under the Fair Value Measurements pronouncements of the FASB Accounting Standards Codification (FASB ASC 820) which establishes a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs of valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurement) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy are described below.

Level 1 – Inputs to the valuation methodology are unadjusted, quoted prices in active markets for identical assets or liabilities at the measurement date.

Level 2 – Inputs to the valuation include:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities that are not active;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

Level 3 – Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

In some cases, the inputs used to measure the fair value of an asset or a liability might be categorized within different levels of the fair value hierarchy. In those cases, the fair value measurement is categorized in its entirety in the same level of the fair value hierarchy as the lowest level input that is significant to the entire measurement. Assessing the significance of a particular input to entire measurement requires judgment, taking into account factors specific to the asset or liability. The categorization of an asset within the hierarchy is based upon the pricing transparency of the asset and does not necessarily correspond to our assessment of the quality, risk, or liquidity profile of the asset or liability.

Following is a description of the valuation methodologies used for assets measured at fair value.

Money market funds, mutual funds, and equities: Valued at the closing price reported on the active market on which the individual securities are traded.

Certificates of Deposit: Valued at acquisition cost plus accrued interest which approximates fair value.

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Entity believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

The following table sets forth by level, within the fair value hierarchy, the Entity's assets at fair value:

<u>Assets at Fair Value as of September 30, 2021</u>			
	<u>Level 1</u>	<u>Level 2</u>	<u>Total</u>
Money market funds	\$ 11,942		\$ 11,942
Mutual funds	485,031		485,031
Equities	229,748		229,748
Certificates of deposit		\$ 588,204	588,204
Total assets at fair value	<u>\$ 726,721</u>	<u>\$ 588,204</u>	<u>\$ 1,314,925</u>

<u>Assets at Fair Value as of September 30, 2020</u>			
	<u>Level 1</u>	<u>Level 2</u>	<u>Total</u>
Money market funds	\$ 10,363		\$ 10,363
Mutual funds	471,773		471,773
Equities	187,057		187,057
Certificates of deposit		\$ 763,128	763,128
Total assets at fair value	<u>\$ 669,193</u>	<u>\$ 763,128</u>	<u>\$ 1,432,321</u>

NOTE 5—GRANTS AND CONTRACTS RECEIVABLE

Grants and contracts receivable, by funding category, consist of the following at September 30, 2021 and 2020:

	<u>2021</u>	<u>2020</u>
PADD	\$ 955	\$ 78,801
PAIMI	42,039	50,947
PATBI	3,227	8,553
PAVA	7,072	12,753
PAIR	15,374	2,926
PAAT	2,212	6,070
VACC	1,807	-
PABRP	9,170	21,456
PABSS	17,685	11,699
IOLTA	40,442	44,062
Other	14,849	27,133
	<u>\$ 154,832</u>	<u>\$ 264,400</u>

NOTE 6—LINE OF CREDIT

The Entity has an available line of credit with its primary bank for up to \$150,000. The interest rate is at the bank's prime rate plus 1.75%. The interest rate at September 30, 2021 and 2020 was 3.25% and

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

4.25%, respectively. No amounts have been drawn on the line of credit and there was no outstanding balance due as of September 30, 2021 and 2020.

NOTE 7—PENSION PLAN

The Entity operates a 401(k)-retirement plan as a benefit for all eligible employees. Employees age 18 or older who have completed six months of service are eligible to contribute to the plan. The Entity contributes 2.5% of employees' salaries to the plan in the month following one year of service. In addition, eligible employees may make contributions to the plan through elective salary deferrals or after-tax contributions and the Entity will match these employee contributions up to 5%, as determined by a matching schedule based on years of service, at a rate of 50%, 75% or 100%. All employer contributions are vested according to service years. Employer contributions to the plan for the years ended September 30, 2021 and 2020 totaled \$69,707 and \$58,725, respectively.

NOTE 8—NET ASSETS

Net assets with donor restrictions as of September 30, 2021 and 2020 represent contributions whose use has been limited by the donors as to purpose and future time periods and are as follows:

	<u>2021</u>	<u>2020</u>
Subject to expenditure for specified period:		
IOLTA	\$ 35,950	\$ 39,000
Subject to expenditure for specified purpose:		
Other contracts	14,100	23,438
Other donations	-	10,000
Special Education project	68,120	121,600
PAIMI	877,874	864,431
PABBS	109,514	109,514
	<u>1,069,608</u>	<u>1,128,983</u>
Total Net Assets With Donor Restrictions	<u>\$ 1,105,558</u>	<u>\$ 1,167,983</u>

NOTE 9—REVENUE FROM CONTRACTS WITH CUSTOMERS

The Entity has adopted Accounting Standards Update (ASU) No. 2014-09 *Revenue from Contracts with Customers (Topic 606)*, as amended as management believes the standard improved the usefulness and understandability of the Entity's financial reporting.

The Entity recognized \$13,443 and \$16,260 of revenue of which was included in contract liabilities for the year ended September 30 2021 and 2020, respectively.

The following table provides information about the balances of receivables, contract assets, and contract liabilities associated with contracts with customers for the year ended September 30, 2021 and 2020:

	<u>Receivables</u>	<u>Contract Assets</u>	<u>Contract Liabilities</u>
September 30, 2021	\$ -	\$ -	\$ 18,427
September 30, 2020	\$ -	\$ -	\$ 6,487
October 1, 2019	\$ -	\$ -	\$ -

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

NOTE 10—CONCENTRATION OF REVENUE RISK

The Entity’s primary source of revenues is fees and grants received directly from the federal government. During the years ended September 30, 2021 and 2020, the Entity recognized revenue of \$1,505,976 (84.7%) and \$1,382,005 (90%), respectively, from fees and grants from governmental agencies. Revenue is recognized as earned under the terms of the grant contracts and is received on a cost reimbursement basis. Other support originates from other program services, contributions and investment income.

NOTE 11—LEASE COMMITMENTS

The Entity entered into a lease for office space located in Concord, NH through July 30, 2024. The lessee agrees to pay an annual base rent of \$62,000, with subsequent yearly increases, ranging from 1.5% to 3.5%, based on the regional Consumer Price Index. Lease expense for the years ended September 30, 2021 and 2020 was \$67,902 and \$67,499, respectively.

The following is a schedule, by years, of the future minimum payments for operating leases:

Year Ended <u>September 30,</u>	Annual <u>Lease Commitments</u>
2022	\$ 70,157
2023	\$ 71,209
2024	\$ 60,081

NOTE 12—OLMSTEAD SETTLEMENT

On February 9, 2012, the Entity filed a class action complaint, “*Amanda D v. the State of New Hampshire (formerly Lynn E. v. the State of New Hampshire)*” (Civ. No. 1:12-cv-53-SM), on behalf of individuals in the State of New Hampshire alleging New Hampshire’s administration of its mental health system violates the rights of individuals with serious mental illness under the Americans with Disabilities Act, the Rehabilitation Act, and the Nursing Home Reform Act. The parties reached a settlement agreement which was approved by the United States District Court for the State of New Hampshire on February 12, 2014.

The terms of the settlement included provisions for the Entity and its partners to perform ongoing monitoring of the State of New Hampshire’s implementation and compliance with the terms of the settlement agreement over the next five years. The terms of the settlement also provided for payments to be issued by the State of New Hampshire to the Entity and its partners for attorney fees, costs, and ongoing monitoring, in the total amount of \$2,426,800. The Entity then established a reserve of \$400,000 to cover the anticipated future costs of monitoring. The settlement was completed as of September 30, 2018. For the years ended September 30, 2021 and 2020, the Entity received an additional monitoring payment of \$13,443 and \$16,260, respectively.

NOTE 13—CONTINGENCIES

The Entity participates in a number of federally assisted grant programs. These programs are subject to financial and compliance audits by the grantors or their representatives. The amounts, if any, of additional expenses which may be disallowed by the granting agency cannot be determined at this time, although the Entity expects such amounts, if any, to be immaterial.

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
For the Years Ended September 30, 2021 and 2020

NOTE 14—SUBSEQUENT EVENTS

Subsequent events have been evaluated through January 27, 2022 which is the date the financial statements were available to be issued.

NOTE 15—FUTURE ACCOUNTING STANDARDS

FASB has issued ASU 2016-02, *Lease (Topic 842)*, which the Entity is required to implement for the year ending September 30, 2023. Management believes that this update will have a potentially significant impact on the financial statements. The Entity will be required to recognize a right-of-use asset and a lease liability for transactions currently identified as operating leases.

SCHEDULE I
DISABILITY RIGHTS CENTER - NH, INC
Schedule of Expenditures of Federal Awards
For the Year Ended September 30, 2021

Federal Granting Agency/Recipient State Agency/Grant Program/State <u>Grant Number</u>	Assistance Listing <u>Number</u>	Total Federal <u>Expenditures</u>
DEPARTMENT OF EDUCATION		
Received directly from U.S. Treasury Department		
Program of Protection and Advocacy of Individual Rights	84.240	
#H240A200030-20		\$ 33,440
#H240A210030		<u>176,454</u>
		<u>209,894</u>
Total Department of Education		<u>209,894</u>
DEPARTMENT OF HEALTH AND HUMAN SERVICES		
Received directly from U.S. Treasury Department		
Protection and Advocacy for Individuals with Mental Illness	93.138	
#6X98SM082542-01M001		184,667
#1X98SM083850-01		<u>228,690</u>
		<u>413,357</u>
Voting Access for Individuals with Disabilities- Grants for Protection and Advocacy Systems	93.618	
#2001NHPAVA-02		72,464
#2101NHPAVA-00		<u>61</u>
		<u>72,525</u>
Developmental Disabilities Basic Support and Advocacy Grants	93.630	
#2001NHPADD-02		46,739
#2101NHPADD-01		414,977
#2101NHPAC5-00		<u>23,004</u>
		<u>484,720</u>
ACL Assistive Technology State Grants for Protection and Advocacy	93.843	
#2001NHPAAT-02		6,727
#2101NHPAAT-01		<u>50,000</u>
		<u>56,727</u>
State Grants for Protection and Advocacy Services	93.873	
#2001NHPATB-02		9,939
#2101NHPATB-01		<u>30,452</u>
		<u>40,391</u>
Total Department of Health and Human Services		<u>1,067,720</u>
SOCIAL SECURITY ADMINISTRATION		
Received directly from U.S. Treasury Department		
Social Security State Grants for Work Incentives Assistance to Disabled Beneficiaries	96.009	
#6 PAB190203430-01-02		80,766
#6 PAB19020343-01-03		68,452
#1 SPS18000036-01-00		7,124
#6 SPS18000036-04-01		<u>72,020</u>
		<u>228,362</u>
Total Social Security Administration		<u>228,362</u>
Total Federal Financial Assistance		<u>\$ 1,505,976</u>

See notes to schedule of expenditures of federal awards

DISABILITY RIGHTS CENTER – NH, INC.
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
For the Year Ended September 30, 2021

NOTE 1—GENERAL

The accompanying Schedule of Expenditures of Federal Awards (the “Schedule”) includes the federal award activity of Disability Rights Center – NH, Inc. under programs of the federal government for the year ended September 30, 2021. The information in this Schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of Disability Rights Center – NH, Inc., it is not intended to and does not present the financial position, changes in net assets, or cash flows of Disability Rights Center – NH, Inc.

NOTE 2—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accompanying Schedule of Expenditures of Federal Awards is presented using the accrual basis of accounting, which is described in Note 1 to the Entity’s financial statements. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursements.

NOTE 3—INDIRECT COST RATE

Disability Rights Center – NH, Inc. has not elected to use the 10-percent de minimis indirect cost rate allowed under the Uniform Guidance.

NOTE 4—RELATIONSHIP TO FINANCIAL STATEMENTS

The recognition of expenditures of federal awards has been reported in Disability Rights Center – NH, Inc.’s financial statements as program services and management and general expenses, as applicable.

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

Independent Auditor's Report

To the Board of Directors
Disability Rights Center – NH, Inc.

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of Disability Rights Center – NH, Inc. (a nonprofit organization), which comprise the statement of financial position as of September 30, 2021, and the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated January 27, 2022.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered Disability Rights Center – NH, Inc.'s internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Disability Rights Center – NH, Inc.'s internal control. Accordingly, we do not express an opinion on the effectiveness of Disability Rights Center – NH, Inc.'s internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Disability Rights Center – NH, Inc.’s financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Vashon Clubay & Company PC

Manchester, New Hampshire
January 27, 2022

**REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL
PROGRAM AND ON INTERNAL CONTROL OVER
COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

Independent Auditor's Report

To the Board of Directors
Disability Rights Center – NH, Inc.

Report on Compliance for Each Major Federal Program

We have audited Disability Rights Center – NH, Inc.'s compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on Disability Rights Center – NH, Inc.'s major federal program for the year ended September 30, 2021. Disability Rights Center – NH, Inc.'s major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of Disability Rights Center – NH, Inc.'s major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Disability Rights Center – NH, Inc.'s compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of Disability Rights Center – NH, Inc.'s compliance.

Opinion on Each Major Federal Program

In our opinion, Disability Rights Center – NH, Inc. complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended September 30, 2021.

Report on Internal Control Over Compliance

Management of Disability Rights Center – NH, Inc. is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered Disability Rights Center – NH, Inc.'s internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Disability Rights Center – NH, Inc.'s internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Vashon Clukey & Company PC

Manchester, New Hampshire
January 27, 2022

Disability Rights Center – NH, Inc.
Schedule of Findings and Questioned Costs
For the Year Ended September 30, 2021

Section I—Summary of Auditor’s Results

Financial Statements

Type of auditor’s report issued on whether the financial statements audited were prepared in accordance with GAAP:

Unmodified

Internal control over financial reporting:

Material weakness(es) identified?

_____yes X no

Significant deficiency(ies) identified?

_____yes X none reported

Noncompliance material to financial statements noted?

_____yes X no

Federal Awards

Internal control over major programs:

Material weakness(es) identified?

_____yes X no

Significant deficiency(ies) identified?

_____yes X none reported

Type of auditor’s report issued on compliance for major program(s):

Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?

_____yes X no

Identification of major program(s):

Assistance Listing Number(s)	Name of Federal Program(s) or Cluster(s)
93.630	Developmental Disabilities Basic Support and Advocacy Grants

Dollar threshold used to distinguish between Type A and Type B program: \$ 750,000

Auditee qualified as low-risk auditee?

 X yes _____ no

Section II—Financial Statement Findings

There were no findings relating to the financial statements required to be reported by GAGAS.

Section III—Federal Award Findings and Questioned Costs

There were no findings and questioned costs as defined under 2 CFR 200.516(a).

DRC DISABILITY RIGHTS CENTER - NH

64 North Main Street, Suite 2, Concord, NH 03301-4913 • mail@drcnh.org • drcnh.org
(603) 228-0432 • (800) 834-1721 voice or TTY • FAX: (603) 225-2077

Name	End of Term
Alcorn, Leslie	05/23/2025*
Bomster, Judith	11/20/2020 *
Bucken, Irene	03/21/2025*
Epstein, Katherine, Chair	03/18/2022*
Hebert, Dan, Vice Chair	05/17/2023*
Goldstein, Dan	09/21/2023*
Good, Jules	09/21/2023*
Lewandowski, Jean	07/18/2024
Mandrell, Melissa, Past Chair	05/15/2023*
Rice, Anne	09/20/2023 *
King, Benjamin, Treasurer	03/16/2023*
Tavino, Ellen	07/21/2023*

Revised 01/01/2023

**Member is eligible for an additional three-year term*

Protection and Advocacy System for New Hampshire

DEBORAH OPRAMOLLA



PROFESSIONAL SUMMARY

Organized and dependable candidate successful at managing multiple priorities with a positive attitude. Willingness to take on added responsibilities to meet team goals.

SKILLS

- Multidisciplinary team collaboration
- Written Communication
- Organization and Time Management
- Cultural Awareness
- Analytical and Critical Thinking
- G-Suite
- Interpersonal Communication

WORK HISTORY

Project Researcher, 01/2020 to Current

National Institutes of Health – Bethesda, MD

- Executed corrective actions when test controls were outside specified limits.
- Identified issues, analyzed information and provided solutions to problems.
- Created plans and communicated deadlines to ensure projects were completed on time.
- Worked flexible hours; night, weekend, and holiday shifts.
- Developed and maintained courteous and effective working relationships.
- Created spreadsheets using Microsoft Excel for daily, weekly and monthly reporting.
- Maintained energy and enthusiasm in fast-paced environment.
- Quickly learned new skills and applied them to daily tasks, improving efficiency and productivity.
- Streamlined research processes to meet tight deadlines for multiple projects.
- Developed case report forms and conducted medical monitoring in partnership with Healthcare personnel.
- Interacted with study participants by preparing for examinations, obtaining consent and collecting data.

Project Manager, 04/2016 to 01/2020

National Institute Of Health – Bethesda, MD

- Oversaw high profile projects for by planning, designing, and scheduling phases.
- Orchestrated projects within strict timeframes and budget constraints by solving complex problems and working closely with senior leaders.
- Tracked project and team member performance closely to quickly intervene in mistakes or delays.

EDUCATION

Master of Science: Legal Studies , 12/2021

Washington University in St Louis School of Law - St Louis, MO

Certificate of Negotiation and Conflict Resolutions

Master of Science: Health Administration

Kaplan University - Davenport, IA

M.D.: Medicine

University of Colorado At Denver Medical School - Aurora, CO

AFFILIATIONS

- Educational Surrogate Parent
- Family Council
- State Family Council
- Leadership 2017
- New Hampshire Council Developmental Disability
- Advisory Council at the Endowment of Health
- Race and Equity Government Work Group
- Covid-19 Equity Taskforce

Déodonné P. Bhattarai

PROFESSIONAL EXPERIENCE

Disability Rights Center, Concord, NH 2018 - Current
Communications Specialist

- Manage social media, print media, website, and all related communications
- Plan and execute DRC-NH publications including newsletter and Disability RAPP
- Conduct various outreach activities including related to voting rights

New Hampshire Voices for Health, Concord, NH 2014 - 2015
Policy Analyst

- Tracked, researched, and analyzed health care policy issues and legislation.
- Met with NH legislators, created legislative backgrounders and talking points, prepared testimony for public hearings, and drafted amended bill language.
- Drafted public-facing factsheets and network alerts, federal comments, and other documents as needed.
- Provided policy updates to the NH Congressional delegation and Governor's Office, as well as the statewide Consumer Assistance Task Force and various national coalitions.

Asian & Pacific Islander American Health Forum, Washington, DC 2012 - 2014
Reproductive Justice Legal Fellow/Policy Analyst

- Worked with Congressional offices, partner organizations, and community members to draft and compile legislation and coordinate related Congressional briefings and community outreach. Legislative activities included the Health Equity and Access under the Law (HEAL) for Immigrant Women & Families Act (H.R. 4240), and the Health Equity and Accountability Act of 2014 (H.R. 5294).
- Worked with Congressional offices, administrative agencies, and community advocates to improve translations, language access, and data disaggregation in Affordable Care Act outreach and enrollment efforts.
- Drafted and edited reports, factsheets, and federal comments, and analyzed and monitored federal and state legislation, regulations, and jurisprudence on issues of health care access, health disparities, and public health policy impacting Asian American, Native Hawaiian and Pacific Islander communities.
- Represented the Asian & Pacific Islander American Health Forum at various coalition meetings, working groups, conferences, White House press events and Congressional briefings.
- Designed a "Know Your Rights" training and provided other civil rights related technical assistance to Asian American and Pacific Islander community leaders as part of *Action for Health Justice (AHJ)*, a national collaborative of over seventy organizations focused on Affordable Care Act outreach and enrollment. AHJ was honored as a White House Champion for Change, April 2014.

Human Rights Law Network, New Delhi, India Fall 2011
Human Rights Law Fellow

- Drafted public interest litigation petitions relating to forced sterilization of tribal populations, lack of maternal and child healthcare services for the workers in India's tea estates, and mass utilization of cesarean sections without medical indication.
- Conducted fact-finding missions in slum communities and advocated for their security of tenure. Evaluated the functionality of India's State Human Rights Commissions including on-site fact-finding in Punjab, India.

National Law Center on Homelessness and Poverty, Washington, DC Spring 2011
Human Rights Law Fellow

- Drafted various sections of the Law Center's annual publications including chapters on the human right to housing and international alternatives to the criminalization of homelessness.
- Drafted human rights section of a legal brief submitted to the Maine Supreme Judicial Court.

Prisoners' Legal Services, Boston, MA

Fall 2010

Legal Intern

- Conducted legal research on various issues including Equal Protection and Eighth Amendment violations. Managed personal caseload of client interviews and healthcare advocacy.

National Women's Law Center, Washington, DC

Spring 2010

Legal/Public Health Researcher

- Conducted research relating to Catholic healthcare providers and the procurement of reproductive healthcare.

New Hampshire Attorney General, Concord, NH

Summer 2009

Criminal Bureau Legal Intern

- Conducted legal research on various issues including right-to-know law and search and seizure. Conducted legislative history and prepared memoranda on a variety of legal questions.

VOLUNTEER WORK**Cure SMA New England Chapter**

2018 - Current

*NH Chapter Leader***NH Council for Youths with Chronic Conditions, Concord, NH**

2017 - Current

*Member***NH Council on Developmental Disabilities, Concord, NH**

2016 - 2019

*Policy Vice Chair***Disability Rights Center, Concord, NH**

2016 - 2018

*Volunteer***Go Baby Go! New Hampshire, Concord, NH**

2016 - 2017

*Founding Member/Communications***UNH Institute on Disability, Concord, NH**

2015 - Current

*Member, Consumer Advisory Council***Friends of Whites Park, Concord, NH**

2015 - Current

*Board Member***BAR ADMISSION**

Member, State Bar of Massachusetts

June 2013

EDUCATION

Parent Information Center Volunteer Advocate Training, Concord, NH Winter/Spring 2017
Completed – May 2017

NH Leadership Series, Concord, NH 2015 - 2016
Graduation – April 2016

- *Action Group*: Conducted a full review of the existing Genetic Education Materials for School Success (GEMSS) website, added new content including information about SMA, and worked on dissemination strategies, which I then presented at the New England Genetics Collaborative's Annual Meeting.

Juris Doctor/Master of Public Health Winter 2012
Northeastern University School of Law/Tufts University School of Medicine, Boston, MA

- *Master's Thesis*: "Catholic Directives & Access to Reproductive Health Care Services": A Correlation Analysis and Study for the National Women's Law Center, Washington, DC.

Bachelor of Arts in Human Ecology Spring 2006
College of the Atlantic, Bar Harbor, ME

STEPHANIE M. PATRICK

stephaniep@drcnh.org

PROFESSIONAL EXPERIENCE

Executive Director (February 2017 – Present)
Disability Rights Center – New Hampshire, Concord, NH

- Responsible for the overall management and operation of the organization
- Oversee \$1.6 million dollar budget. Ensure the organization is fiscally responsible and in compliance with all federal laws and regulations.
- Responsible for all aspects of hiring, Board and Advisory Council relations, strategic planning, fundraising and resource development.
- Ensure compliance with all statutory, regulatory and fiscal requirements including federal reporting.
- Ensure the agency is responsive to the needs of people with disabilities across the state.
- Build and maintain coalitions to address systemic issues for people with disabilities.
- Ensure DRC provides high quality services which are responsive to the needs of people with disabilities.

Director of Policy and Planning (October 2011 – present)
Director of Outreach and Training (October 2004 – September 2011)
Information and Outreach Coordinator (May 2003 – September 2004)
Advocacy Center of Louisiana, New Orleans, LA

- Managed and ensured programmatic compliance for six of AC's federal grants with a budget of over \$1.6 million.
- Made critical contributions to the financial and licensing data analysis, assessment, and writing of three investigative reports and led agency efforts to coordinate related media coverage.
- Developed and implemented a systematic agency plan to engage stakeholders and obtain public comment on agency activities, both in stand-alone efforts and in collaboration with our Developmental Disabilities Network sister agencies.
- Developed and implemented AC's legislative agenda with the Executive Director and Board. Activities include overseeing the activities of AC's legislative team, testifying on a variety of legislative issues after developing position statements, developing relationships with legislators and community organizations to support legislative and public policy goals, and overseeing the passage of key pieces of legislation to promote and protect the rights of people with disabilities.
- Developed a system to analyze data on individual legal assistance, systemic advocacy efforts and financial obligation to better understand the allocation of critical agency resources.
- Coordinated AC's PAIMI Advisory Council including planning and facilitating meetings, recruiting and supporting members, assisting members to develop and implement priorities and activities, ensuring members have needed information to oversee the PAIMI program and funding, and assisting members to prepare reports to program funders.

- Regular contributor to AC's newsletter, including articles explaining legal issues to the general public. Developed numerous agency publications
- Managed AC public relations including developing press releases on major litigation and other topics in consultation with litigators, organizing agency press conferences, developing press packets, and communicating with reporters and stakeholders to ensure robust coverage of issues. Served as a resource for media crises for disability rights organizations across the US.
- Conducted training on topics including self-advocacy skills, public policy, and grassroots and legislative advocacy for local and statewide groups.
- Supervised a team of four advocates who regularly visited institutions across the state to protect the rights of individual residents, individuals who assisted with outreach and training and advocates in the Katrina Aid Today program.
- Led AC social media and website activities including the redesign of AC's website and the creation and management of AC's Facebook page.
- Developed numerous agency publications including *AC Basics*, *Services for People with Mental Illness*, *Creating an Accessible Political Campaign* and *Voting Basics*. Ensured all AC publications were updated regularly and were accurate.

PRIOR EXPERIENCE:

Program Services Intern

(January – April 2003)

March of Dimes - LA State Chapter, Baton Rouge, LA

Advocated for services for pregnant women and babies at the local and state government levels. Developed a plan to solicit gubernatorial candidate responses to March of Dimes key issues and ensure March of Dimes topics were covered in gubernatorial debates. Assisted in coordinating a press conference and other media events to publicize March of Dimes campaigns. Assisted in the monitoring and evaluation of grants. Assisted community programs providing services to pregnant women. Expanded grassroots advocacy partnerships. Enlisted support of various medical groups for March of Dimes projects.

Social Work Intern/ Part-time Social Worker

(August 2001- August 2002)

Institute for Disability Studies, University of Southern Mississippi, Hattiesburg, MS

Planned and scheduled speakers for support groups for parents of children with disabilities. Publicized the group and provided other support as needed. Developed and implemented *Parents Night Out*, respite nights for parents of children with disabilities and *Sibshops*, workshops for siblings of children with disabilities. Provided case management services to individuals and families with disabilities who were homeless. Assisted with evaluations and case management of infants and young children with disabilities. Developed partnerships with student groups to obtain volunteers and solicited donations for various programs.

Counselor

(June 1997-July 2001)

Episcopal Center for Children, Washington, DC

Created and implemented behavioral management plans with a team of teachers and therapists for elementary school aged children with severe emotional disabilities. Provided crisis intervention as needed. Used games and activities to help the children develop social and anger management skills. Implemented a pet therapy program. Regularly evaluated and documented children's progress toward educational and behavioral goals.

EDUCATION:

Bachelor of Arts in Social Work, The Catholic University of America, Washington, DC, May 1997

Master of Social Work, University of Southern Mississippi, Hattiesburg, MS, May 2003

Karen L. Rosenberg
Disability Rights Center - NH



EDUCATION

Northeastern University School of Law, J.D. 1988
Tufts University, B.S. Magna Cum Laude, Psychology, 1983

BAR ADMISSIONS

State of New Hampshire - 1988
U.S. District Court for the District of New Hampshire - 1988

Commonwealth of Massachusetts – 1989 (Retired)
U.S. District Court for the District of Massachusetts - 1989 (Retired)

EMPLOYMENT

Disability Rights Center – NH
Concord, NH

SEPTEMBER 2005 – PRESENT

POLICY DIRECTOR

DECEMBER 2021 – PRESENT

Oversee the planning, development, coordination, and implementation of DRC-NH's public policy agenda. Analyze proposed legislation, regulations and other proposed policies which may impact the rights of people with disabilities. Educate state legislators and other state policymakers regarding the impact of proposed legislation, regulations, and policies on people with disabilities. Monitor, track and prepare informational testimony for legislative committees and other public hearings consistent with DRC-NH's mission, values, and priorities. Work cooperatively with community organizations and state agencies to improve the lives of people with disabilities.

STAFF ATTORNEY

SEPTEMBER 2005 – DECEMBER 2021

Primary practice areas: Special Education and public benefits. Represented children and adults in a variety of forums including New Hampshire State Courts, the U.S. District Court for the District of New Hampshire and administrative agencies. Conducted investigations into alleged abuse and neglect of individuals with disabilities in public and privately funded institutions. Engaged in policy advocacy including providing written and oral testimony before the NH Department of Education and NH Department of Health and Human Services regarding issues of importance for children with disabilities. Conducted trainings for parents, attorneys, and community groups on disability laws.

New Hampshire Legal Assistance
Manchester, NH

SEPTEMBER 1988 - DECEMBER 2003

STAFF ATTORNEY

Primary practice areas: Health law with focus on Medicaid, housing and consumer law, including housing discrimination and preservation of home ownership for low-income families and the elderly.

DIRECTOR, FAIR HOUSING PROJECT

NOVEMBER 1995 – MAY 2000

Directed statewide project that provides legal representation for victims of housing discrimination and community education concerning state and federal fair housing laws.

- *grant writing* - Drafted successful proposals for funding from HUD, the Durum Fund of the NH Charitable Foundation, the Norwin S. and Elizabeth N. Bean Foundation, Haymarket People's Fund, the City of Manchester Community Improvement Program and the City of Portsmouth Community Development Block Grant Program. Total amounts raised exceeded \$350,000.
- *community education* - Developed, coordinated and participated as faculty member for several New Hampshire CLE approved seminars on fair housing laws. Trained hundreds of real estate agents and brokers, including members of the Greater Manchester and Nashua Board of Realtors and the Strafford County Board of Realtors, on fair housing laws. Conducted community education forums for community groups, social service providers and landlords throughout Southern New Hampshire. Served as a faculty member for two regional fair housing conferences sponsored by HUD. Served as a consultant to the Rhode Island Commission for Human Rights to assist development of a program to conduct field tests for housing discrimination.
- *testing* - Designed field-testing protocols and supervised extensive field testing throughout state for housing discrimination. Supervised tester recruitment and training. Managed staff, including testing coordinator and up to fifty testers.
- *legal representation* - Represented victims of housing discrimination in State Superior and District Courts, and at the HUD Office of Fair Housing and Equal Opportunity. Supervised project staff's legal work.

DIRECTOR, HOUSING PRESERVATION PROJECT

OCTOBER 1992 –
SEPTEMBER 1994

Directed statewide home ownership preservation project.

- *legal advocacy* - Represented clients facing possible loss of their homes in New Hampshire Superior Courts, Federal District Court and Bankruptcy Court for the District of New Hampshire. Supervised NHLA and volunteer attorneys. Developed intake protocol to screen for potential housing preservation clients.
- *community education* - Recruited and trained attorneys to represent indigent clients facing foreclosure. Conducted outreach and community education forums for low-income and elderly homeowners regarding opportunities to preserve home ownership. Participated as faculty member at a New England regional training on bankruptcy and foreclosure, a New Hampshire CLE-accredited training on bankruptcy and consumer defenses to preserve home ownership.

PUBLIC INTEREST ADVISORY COMMITTEES

Member, NH Medical Care Advisory Committee (2018 - Present)

Member, State Advisory Committee on the Education of Children/Students with Disabilities (2015 - Present)

Member, NH Brain Injury Association, Provider Council (2016 - Present)

COMMUNITY ACTIVITIES

New Hampshire Public Radio. Member, Community Advisory Board 2014 - 2021)

Makin' It Happen Coalition, Manchester, NH. Member, Drop-out Prevention Work Group. (2007-2010)

New Hampshire Regional Community Development Corporation, Laconia, NH. Board Member (2006-2009)

New Hampshire Minority Health Coalition, Manchester, NH. Board Member (2003-2006), Chairperson (2004-2006)

Palace Theatre, Manchester, NH. Member, Gala Planning Committee (2003-2005)

ALPHA/Alliance for the Progress of Hispanic Americans, Manchester, NH. Founding Board Member (1990-1995), President of the Board of Directors (1992-1993), Member, Nominations Committee.

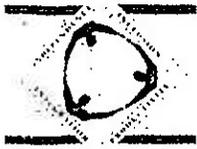
DISABILITY RIGHTS CENTER - NH

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Supported Decision Making (SDM) Project

Key Staff

Name	Title	Salary	Estimated % Paid by SDM Project	Estimated Amount Paid by SDM Project
Deborah Opramolla	Program Manager	\$66,151	25%	\$16,538
Stephanie Patrick	Executive Director	\$109,737	.5%	\$549
Karen Rosenberg	Policy Director	\$107,854	.5%	\$539
Deodonne Bhattarai	Communications Specialist	\$29,146	3%	\$874



NEW HAMPSHIRE
COUNCIL ON
DEVELOPMENTAL DISABILITIES



February 15, 2022

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the New Hampshire Council on Developmental Disabilities (Council) to enter into a **RETROACTIVE** contract with Disability Rights Center (DRC), 64 North Main Street, Suite 2, 3rd Floor, Concord, NH 03301- 4913, vendor number 155196, in the amount of \$50,000.00, to build and maintain a coalition of people with disabilities, family members, advocates, service providers and others to identify barriers and opportunities to expand the use of supported decision making in New Hampshire, effective upon Governor and Council approval for the period of January 16, 2022 through April 15, 2023. **100% Federal Funds.**

Funding to support this request is available in the following account for State Fiscal Years 2022 and 2023, with the authority to adjust encumbrances between fiscal years within the price limitation through the Budget Office, if needed and justified.

01-97-97-970010-71350000 – Developmental Disabilities Council	
Class 072-500575, Grants Federal	
FY2022	\$25,000.00
FY2023	\$25,000.00

EXPLANATION

This request is being made **RETROACTIVELY** due to delays in finalizing the contract agreement, as well as competing priorities for both organizations and necessary procedural clarifications, which further delayed the development of the contract. However, steps have been taken to ensure that any further contracts between the two organizations will be made and submitted in a timely manner for Governor & Council approval.

The New Hampshire Council on Developmental Disabilities was established in 1971, pursuant to the federal Developmental Disabilities Act (DD Act) of 1970. Councils are located in every State and Territory and represent a Federal-State partnership to expand opportunities and improve the quality of life of people with developmental disabilities and their families. Council members are appointed by the Governor, and represent people with developmental disabilities, parents and guardians and representatives of agencies that support people with developmental disabilities as specified in federal and state law. Councils are charged by Federal law to identify the most pressing needs of people with developmental disabilities in their State or Territory and to develop innovative and cost-effective strategies to meet those needs. Councils work to promote the independence and productivity of people with developmental disabilities and promote systems change that will eliminate obvious inequities in areas such as employment, education, and access to healthcare.

This contract provides funding to help promote the use of supported decision making across New Hampshire utilizing a variety of strategies:

- Build and maintain a coalition of people with disabilities, family members, advocates, service providers and others to identify barriers and opportunities to expand the use of supported decision making in New Hampshire. This group will meet approximately six times during the project and engage via email in between meetings.
- Conduct review of barriers to Supported Decision Making in current policies, procedures, informal guidance, and information for people with disabilities and older adults, families, service providers, and the legal community. Take steps to address these barriers as opportunities arise (for example as the state considers revisions to rules, as the Department of Education issues guidance to schools, as area agencies and service providers update their websites or policies).
- Provide technical assistance to people with disabilities and their supporters as they seek to develop and implement supported decision making.
- Conduct six trainings for people with disabilities and family members through contracts with ABLE NH and NH Family Voices.
- Conduct trainings with other stakeholders.
- Develop resources to assist people with disabilities and their supporters as they consider and implement supported decision making. DRC-NH will develop a range of resources which may include brochures, booklets, videos, question and answers. These resources will be fully accessible to people with disabilities and utilize plain language whenever possible.
- Representation of people with disabilities to challenge unnecessary guardianships.

DRC will contribute 25% of the overall cost of the program in accordance with federal guidelines.

The geographic area served by this project agreement is statewide. The source of funds is 100% federal funds.

The Council published a request for proposal (RFP) soliciting qualified individuals or organizations that could create a project that promote the use of supported decision making across New Hampshire. The RFP was posted to the NHCDD website: <https://www.nhcdd.nh.gov/> for four (4) consecutive weeks and the Council notified all stakeholder, sent out a press release, posted in the Union Leader on, November 23rd, 24th, and 26th, and posted on all social media channels. As a result of the issuance of the RFP, one (1) potential vendor responded by submitting a proposal. The Council selected that qualified vendor to meet the Council's goal in addressing the need to build and maintain a coalition of stakeholders to identify barriers and opportunities to expand the use of supported decision making in New Hampshire. In accordance with the terms and conditions of the RFP, DRC was selected to receive the contract in the amount of \$50,000.00.

This RFP was scored utilizing a consensus methodology by a three (3) person evaluation committee. The evaluation committee consisted of the following NHCDD employees: Isadora Rodriguez-Legendre, Executive Director, Ronnieann Rakoski, Policy and Planning Director, Vanessa Blais, Project Manager.

In the event that federal funds become no longer available, general funds will not be used to support this contract.

Respectfully submitted,



Isadora Rodriguez-Legendre
Executive Director

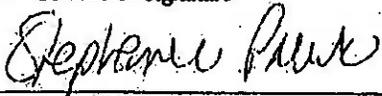
Notice: This agreement and all of its attachments shall become public upon submission to Governor and Executive Council for approval. Any information that is private, confidential or proprietary must be clearly identified to the agency and agreed to in writing prior to signing the contract.

AGREEMENT

The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. IDENTIFICATION.

1.1 State Agency Name New Hampshire Council on Developmental Disabilities		1.2 State Agency Address 2 1/2 Beacon Street, Concord NH 03301	
1.3 Contractor Name Disability Rights Center - NH		1.4 Contractor Address 64 North Main Street, Suite 2, 3rd Floor, Concord, NH 03301-4913	
1.5 Contractor Phone Number 603-228-0432	1.6 Account Number 71350000/500575	1.7 Completion Date April 15, 2023	1.8 Price Limitation \$50,000.00
1.9 Contracting Officer for State Agency Isadora Rodriguez-Legendre, Executive Director		1.10 State Agency Telephone Number 603-271-1157	
1.11 Contractor Signature  Date: 2/7/2022		1.12 Name and Title of Contractor Signatory Stephanie Patrick, Executive Director	
1.13 State Agency Signature  Date: 2/7/22		1.14 Name and Title of State Agency Signatory Isadora Rodriguez-Legendre, Executive Director	
1.15 Approval by the N.H. Department of Administration, Division of Personnel (if applicable) By: _____ Director, On: _____			
1.16 Approval by the Attorney General (Form, Substance and Execution) (if applicable) By: _____ On: _____			
1.17 Approval by the Governor and Executive Council (if applicable) G&C Item number: _____ G&C Meeting Date: _____			

2. SERVICES TO BE PERFORMED. The State of New Hampshire, acting through the agency identified in block 1.1 ("State"), engages contractor identified in block 1.3 ("Contractor") to perform, and the Contractor shall perform, the work or sale of goods, or both, identified and more particularly described in the attached EXHIBIT B which is incorporated herein by reference ("Services").

3. EFFECTIVE DATE/COMPLETION OF SERVICES.

3.1 Notwithstanding any provision of this Agreement to the contrary, and subject to the approval of the Governor and Executive Council of the State of New Hampshire, if applicable, this Agreement, and all obligations of the parties hereunder, shall become effective on the date the Governor and Executive Council approve this Agreement as indicated in block 1.17, unless no such approval is required, in which case the Agreement shall become effective on the date the Agreement is signed by the State Agency as shown in block 1.13 ("Effective Date").

3.2 If the Contractor commences the Services prior to the Effective Date, all Services performed by the Contractor prior to the Effective Date shall be performed at the sole risk of the Contractor, and in the event that this Agreement does not become effective, the State shall have no liability to the Contractor, including without limitation, any obligation to pay the Contractor for any costs incurred or Services performed. Contractor must complete all Services by the Completion Date specified in block 1.7.

4. CONDITIONAL NATURE OF AGREEMENT.

Notwithstanding any provision of this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability and continued appropriation of funds affected by any state or federal legislative or executive action that reduces, eliminates or otherwise modifies the appropriation or availability of funding for this Agreement and the Scope for Services provided in EXHIBIT B, in whole or in part. In no event shall the State be liable for any payments hereunder in excess of such available appropriated funds. In the event of a reduction or termination of appropriated funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to reduce or terminate the Services under this Agreement immediately upon giving the Contractor notice of such reduction or termination. The State shall not be required to transfer funds from any other account or source to the Account identified in block 1.6 in the event funds in that Account are reduced or unavailable.

5. CONTRACT PRICE/PRICE LIMITATION/ PAYMENT.

5.1 The contract price, method of payment, and terms of payment are identified and more particularly described in EXHIBIT C which is incorporated herein by reference.

5.2 The payment by the State of the contract price shall be the only and the complete reimbursement to the Contractor for all expenses, of whatever nature incurred by the Contractor in the performance hereof, and shall be the only and the complete

compensation to the Contractor for the Services. The State shall have no liability to the Contractor other than the contract price.

5.3 The State reserves the right to offset from any amounts otherwise payable to the Contractor under this Agreement those liquidated amounts required or permitted by N.H. RSA 80:7 through RSA 80:7-c or any other provision of law.

5.4 Notwithstanding any provision in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made hereunder, exceed the Price Limitation set forth in block 1.8.

6. COMPLIANCE BY CONTRACTOR WITH LAWS AND REGULATIONS/ EQUAL EMPLOYMENT OPPORTUNITY.

6.1 In connection with the performance of the Services, the Contractor shall comply with all applicable statutes, laws, regulations, and orders of federal, state, county or municipal authorities which impose any obligation or duty upon the Contractor, including, but not limited to, civil rights and equal employment opportunity laws. In addition, if this Agreement is funded in any part by monies of the United States, the Contractor shall comply with all federal executive orders, rules, regulations and statutes, and with any rules, regulations and guidelines as the State or the United States issue to implement these regulations. The Contractor shall also comply with all applicable intellectual property laws.

6.2 During the term of this Agreement, the Contractor shall not discriminate against employees or applicants for employment because of race, color, religion, creed, age, sex, handicap, sexual orientation, or national origin and will take affirmative action to prevent such discrimination.

6.3. The Contractor agrees to permit the State or United States access to any of the Contractor's books, records and accounts for the purpose of ascertaining compliance with all rules, regulations and orders, and the covenants, terms and conditions of this Agreement.

7. PERSONNEL.

7.1 The Contractor shall at its own expense provide all personnel necessary to perform the Services. The Contractor warrants that all personnel engaged in the Services shall be qualified to perform the Services, and shall be properly licensed and otherwise authorized to do so under all applicable laws.

7.2 Unless otherwise authorized in writing, during the term of this Agreement, and for a period of six (6) months after the Completion Date in block 1.7, the Contractor shall not hire, and shall not permit any subcontractor or other person, firm or corporation with whom it is engaged in a combined effort to perform the Services to hire, any person who is a State employee or official, who is materially involved in the procurement, administration or performance of this Agreement. This provision shall survive termination of this Agreement.

7.3 The Contracting Officer specified in block 1.9, or his or her successor, shall be the State's representative. In the event of any dispute concerning the interpretation of this Agreement, the Contracting Officer's decision shall be final for the State.

8. EVENT OF DEFAULT/REMEDIES.

8.1 Any one or more of the following acts or omissions of the Contractor shall constitute an event of default hereunder ("Event of Default"):

8.1.1 failure to perform the Services satisfactorily or on schedule;

8.1.2 failure to submit any report required hereunder; and/or

8.1.3 failure to perform any other covenant, term or condition of this Agreement.

8.2 Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:

8.2.1 give the Contractor a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely cured, terminate this Agreement, effective two (2) days after giving the Contractor notice of termination;

8.2.2 give the Contractor a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the contract price which would otherwise accrue to the Contractor during the period from the date of such notice until such time as the State determines that the Contractor has cured the Event of Default shall never be paid to the Contractor;

8.2.3 give the Contractor a written notice specifying the Event of Default and set off against any other obligations the State may owe to the Contractor any damages the State suffers by reason of any Event of Default; and/or

8.2.4 give the Contractor a written notice specifying the Event of Default, treat the Agreement as breached, terminate the Agreement and pursue any of its remedies at law or in equity, or both.

8.3. No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event of Default, or any subsequent Event of Default. No express failure to enforce any Event of Default shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other Event of Default on the part of the Contractor.

9. TERMINATION.

9.1 Notwithstanding paragraph 8, the State may, at its sole discretion, terminate the Agreement for any reason, in whole or in part, by thirty (30) days written notice to the Contractor that the State is exercising its option to terminate the Agreement.

9.2 In the event of an early termination of this Agreement for any reason other than the completion of the Services, the Contractor shall, at the State's discretion, deliver to the Contracting Officer, not later than fifteen (15) days after the date of termination, a report ("Termination Report") describing in detail all Services performed, and the contract price earned, to and including the date of termination. The form, subject matter, content, and number of copies of the Termination Report shall be identical to those of any Final Report described in the attached EXHIBIT B. In addition, at the State's discretion, the Contractor

shall, within 15 days of notice of early termination, develop and submit to the State a Transition Plan for services under the Agreement.

10. DATA/ACCESS/CONFIDENTIALITY/PRESERVATION.

10.1 As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, papers, and documents, all whether finished or unfinished.

10.2 All data and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason.

10.3 Confidentiality of data shall be governed by N.H. RSA chapter 91-A or other existing law. Disclosure of data requires prior written approval of the State.

11. **CONTRACTOR'S RELATION TO THE STATE.** In the performance of this Agreement the Contractor is in all respects an independent contractor, and is neither an agent nor an employee of the State. Neither the Contractor nor any of its officers, employees, agents or members shall have authority to bind the State or receive any benefits, workers' compensation or other emoluments provided by the State to its employees.

12. ASSIGNMENT/DELEGATION/SUBCONTRACTS.

12.1 The Contractor shall not assign, or otherwise transfer any interest in this Agreement without the prior written notice, which shall be provided to the State at least fifteen (15) days prior to the assignment, and a written consent of the State. For purposes of this paragraph, a Change of Control shall constitute assignment. "Change of Control" means (a) merger, consolidation, or a transaction or series of related transactions in which a third party, together with its affiliates, becomes the direct or indirect owner of fifty percent (50%) or more of the voting shares or similar equity interests, or combined voting power of the Contractor, or (b) the sale of all or substantially all of the assets of the Contractor.

12.2 None of the Services shall be subcontracted by the Contractor without prior written notice and consent of the State. The State is entitled to copies of all subcontracts and assignment agreements and shall not be bound by any provisions contained in a subcontract or an assignment agreement to which it is not a party.

13. **INDEMNIFICATION.** Unless otherwise exempted by law, the Contractor shall indemnify and hold harmless the State, its officers and employees, from and against any and all claims, liabilities and costs for any personal injury or property damages, patent or copyright infringement, or other claims asserted against

the State, its officers or employees, which arise out of (or which may be claimed to arise out of) the acts or omission of the Contractor, or subcontractors, including but not limited to the negligence, reckless or intentional conduct. The State shall not be liable for any costs incurred by the Contractor arising under this paragraph 13. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant in paragraph 13 shall survive the termination of this Agreement.

14. INSURANCE.

14.1 The Contractor shall, at its sole expense, obtain and continuously maintain in force, and shall require any subcontractor or assignee to obtain and maintain in force, the following insurance:

14.1.1 commercial general liability insurance against all claims of bodily injury, death or property damage, in amounts of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate or excess; and

14.1.2 special cause of loss coverage form covering all property subject to subparagraph 10.2 herein, in an amount not less than 80% of the whole replacement value of the property.

14.2 The policies described in subparagraph 14.1 herein shall be on policy forms and endorsements approved for use in the State of New Hampshire by the N.H. Department of Insurance, and issued by insurers licensed in the State of New Hampshire.

14.3 The Contractor shall furnish to the Contracting Officer identified in block 1.9, or his or her successor, a certificate(s) of insurance for all insurance required under this Agreement. Contractor shall also furnish to the Contracting Officer identified in block 1.9, or his or her successor, certificate(s) of insurance for all renewal(s) of insurance required under this Agreement no later than ten (10) days prior to the expiration date of each insurance policy. The certificate(s) of insurance and any renewals thereof shall be attached and are incorporated herein by reference.

15. WORKERS' COMPENSATION.

15.1 By signing this agreement, the Contractor agrees, certifies and warrants that the Contractor is in compliance with or exempt from, the requirements of N.H. RSA chapter 281-A ("Workers' Compensation").

15.2 To the extent the Contractor is subject to the requirements of N.H. RSA chapter 281-A, Contractor shall maintain, and require any subcontractor or assignee to secure and maintain, payment of Workers' Compensation in connection with activities which the person proposes to undertake pursuant to this Agreement. The Contractor shall furnish the Contracting Officer identified in block 1.9, or his or her successor, proof of Workers' Compensation in the manner described in N.H. RSA chapter 281-A and any applicable renewal(s) thereof, which shall be attached and are incorporated herein by reference. The State shall not be responsible for payment of any Workers' Compensation premiums or for any other claim or benefit for Contractor, or any subcontractor or employee of Contractor, which might arise under applicable State of New Hampshire

Workers' Compensation laws in connection with the performance of the Services under this Agreement.

16. **NOTICE.** Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses given in blocks 1.2 and 1.4, herein.

17. **AMENDMENT.** This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Executive Council of the State of New Hampshire unless no such approval is required under the circumstances pursuant to State law, rule or policy.

18. **CHOICE OF LAW AND FORUM.** This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assigns. The wording used in this Agreement is the wording chosen by the parties to express their mutual intent, and no rule of construction shall be applied against or in favor of any party. Any actions arising out of this Agreement shall be brought and maintained in New Hampshire Superior Court which shall have exclusive jurisdiction thereof.

19. **CONFLICTING TERMS.** In the event of a conflict between the terms of this P-37 form (as modified in EXHIBIT A) and the attachments and amendments thereto, the terms of the P-37 (as modified in EXHIBIT A) shall control.

20. **THIRD PARTIES.** The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.

21. **HEADINGS.** The headings throughout the Agreement are for reference purposes only, and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this Agreement.

22. **SPECIAL PROVISIONS.** Additional or modifying provisions set forth in the attached EXHIBIT A are incorporated herein by reference.

23. **SEVERABILITY.** In the event any of the provisions of this Agreement are held by a court of competent jurisdiction to be contrary to any state or federal law, the remaining provisions of this Agreement will remain in full force and effect.

24. **ENTIRE AGREEMENT.** This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings with respect to the subject matter hereof.

Exhibit A

No special provisions added.

Contractor Initials 
Date: 2/7/2022

Exhibit B

**STATE OF NEW HAMPSHIRE
New Hampshire Council for Developmental Disabilities
2 ½ Beacon Street
Concord, New Hampshire 03301**

Date: January 31, 2022

Contractor Agreement

Contract No.: 2022-0001

**Vendor: Disability Rights Center - NH
64 North Main Street, Suite 2,
3rd Floor, Concord, NH 03301-4913**

**Contact Person(s): Isadora Rodriguez-Legendre, MSW
Executive Director
New Hampshire Council on Developmental Disabilities
2 ½ Beacon Street, Ste. 10
Concord, NH 03301-4447**

Effective From: January 16, 2022, Through: April 15, 2023

Scope of Work:

With this funding, DRC-NH will promote the use of supported decision making across New Hampshire utilizing a variety of strategies:

- Build and maintain a coalition of people with disabilities, family members, advocates, service providers and others to identify barriers and opportunities to expand the use of supported decision making in New Hampshire. This group will meet approximately six times during the project and engage via email in between meetings.
- Conduct review of barriers to Supported Decision Making in current policies, procedures, informal guidance, and information for people with disabilities and older adults, families, service providers, and the legal community. Take steps to address these barriers as opportunities arise (for example

Contractor Initials *SR*

Date 2/7/2022

as the state considers revisions to rules, as the Department of Education issues guidance to schools, as area agencies and service providers update their websites or policies).

- Provide technical assistance to people with disabilities and their supporters as they seek to develop and implement supported decision making. Disability Rights Center – NH Response to RFP #2022-0001 December 30, 2021.
- Conduct six trainings for people with disabilities and family members through contracts with ABLE NH and NH Family Voices.
- Conduct trainings with other stakeholders. This may include:
 - Doctors, hospitals, and healthcare providers
 - Banks and financial institutions
 - Attorneys
 - NH Judiciary, focusing on the Probate Court which handles guardianship
- Develop resources to assist people with disabilities and their supporters as they consider and implement supported decision making. DRC-NH will develop a range of resources which may include brochures, booklets, videos, question and answers. These resources will be fully accessible to people with disabilities and utilize plain language whenever possible.
- Representation of people with disabilities to challenge unnecessary guardianships.

Long-term outcomes of this project will include:

1. Increased awareness of guardianship alternatives among the judiciary, New Hampshire Bar, service providers and families.
2. Measurable reduction in the number of guardianships filed and increase in the use of supported decision-making agreements or other less restrictive alternatives.
3. Integration of supported decision making into New Hampshire's system of service delivery and planning for people with disabilities and older adults, including as part of the state's Medicaid waiver programs for people with developmental disabilities, traumatic brain injuries and adults who are eligible for nursing home services; and
4. Identification of potential sources of funding to support additional work in this area.

To ensure participation by all coalition members, Disability Rights Center - NH staff will employ a number of strategies. As needed, members will be provided with ongoing supports to encourage participation. This includes the use of a pre-meeting process to allow any coalition members the opportunity to meet with the project coordinator before each meeting to review the agenda, discuss process and decisions to be made, identify necessary supports for participation; the use of video conference technology to accommodate members who are unable to travel to meetings in person; regular check-ins with members throughout the meeting to ensure participation; and small group discussions as appropriate. Members will be provided with financial supports for travel expenses if not paid to attend or eligible for other reimbursement. Throughout the process, coalition staff and leaders will check in with members to ensure they are fully participating and engaging in the process.

Council Support:

The Council will serve as a resource to support the DRC. The DRC may receive calls from the Council staff about outcome and performance measures, public policy issues that relate to this project, products and outreach materials developed with this funding, and project events.

Disclaimer

The DRC is required to add the following disclaimer on the first page or preface of all documents and webpages produced, all or in part, with Council (ACL) funding.

This project was supported, in part with funding provided by the NH Council on Developmental Disabilities under grant number 2201NHSCDD, from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201. Grantees undertaking projects with government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official ACL policy.

**Disability Rights Center
Payment Terms**

Payment Terms:

This is a one-year contract for \$50,000, with the potential for extension and/or renewal for additionally years if funds are available and as agreed on by both parties. The funds will be distributed to the DRC in four payments of \$12,500 on a quarterly basis, subject to DRC's compliance with the terms and conditions of this agreement. Please see attached budget.

An invoice must be completed, signed, and returned to the Developmental Disabilities Council before the beginning of each quarter, to initiate payment. Please mail the invoice to:

Isadora Rodriguez-Legendre, MSW
Executive Director
NH Council on Developmental Disabilities
2 ½ Beacon Street, Ste. 10
Concord, NH 03301-4447