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DEC 17 2025



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR CHILDREN, YOUTH & FAMILIES

Lori A. Weaver
Commissioner

Marie Noonan
Director

129 PLEASANT STREET, CONCORD, NH 03301-3857
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November 18, 2025

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division for Children, Youth and Families, to enter into a **Retroactive Sole Source** amendment to an existing contract with David A. Bogacz (VC #174414), Tilton, NH, for the provision of dental services for youth at the Sununu Youth Services Center, to modify the contract, pursuant to New Hampshire Chapter Law 140:12 (2025), by decreasing the total price limitation by \$24,000 from \$74,880 to \$50,880 with no change to the contract completion date of December 31, 2026, effective retroactive to December 1, 2025 upon Governor and Council approval. 100% General Funds.

The original contract was approved by Governor and Council on December 4, 2024, item #14.

Funds are available in the following accounts for State Fiscal Years 2026 and 2027, with the authority to adjust budget line items within the price limitation and encumbrances between state fiscal years through the Budget Office, if needed and justified.

05-95-042-421510-66430000-HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SVCS DEPT, HHS: DIV CHILDREN YOUTH & FAM, SUNUNU YOUTH SERVICE CENTER, SYSC

State Fiscal Year	Class / Account	Class Title	Job Number	Current Budget	Increased (Decreased) Amount	Revised Budget
2025	101-500728	Medical Payments to Providers	42151501	\$18,700	\$0	\$18,700
2026	101-500728	Medical Payments to Providers	42151501	\$37,480	(\$12,000)	\$25,480
2027	101-500728	Medical Payments to Providers	42151501	\$18,700	(\$12,000)	\$6,700
			Total	\$74,880	(\$24,000)	\$50,880

EXPLANATION

This request is **Retroactive** to December 1, 2025, to align with the effective date of the reductions in the amendment resulting from New Hampshire Chapter Law 140:12 (2025), *Department of Health and Human Services, Budget Reduction*. This request is **Sole Source** because MOP 150 requires all amendments to agreements originally approved as sole source to be identified as sole source. There are no known viable alternatives to the services provided by the Contractor. There is a shortage of dentists in the state, and the Contractor is the only known qualified contractor willing and able to provide these dental care services to youth at the Sununu Youth Services Center (SYSC).

The purpose of this request is to reduce the contract price limitation, pursuant to New Hampshire Chapter Law 140:12 (2025), *Department of Health and Human Services, Budget Reduction*. The Contractor provides on-site dental services, as well as supervision of the dental hygienist as required under DEN 302.02. Services include basic dental assessments and treatments, as well as dental exams, fillings, sealants and x-rays.

Approximately 60 individuals will be served through December 31, 2026.

The Department monitors services through collaboration with the Contractor to verify the results of dental services provided and reported by the Contractor, adjusts program delivery as necessary, and provides updates on policy.

Should the Governor and Council not authorize this request the Department will not be able to make the necessary budget reductions pursuant to New Hampshire Chapter Law 140:12 (2025), *Department of Health and Human Services, Budget Reduction*.

Area served: Sununu Youth Services Center.

Respectfully submitted,



For:

Lori A. Weaver
Commissioner

**State of New Hampshire
Department of Health and Human Services
Amendment #1**

This Amendment to the Dental Services for Sununu Youth Services Center contract is by and between the State of New Hampshire, Department of Health and Human Services ("State" or "Department") and David A. Bogacz, DMD ("the Contractor").

WHEREAS, pursuant to an agreement (the "Contract") approved by the Governor and Executive Council on December 4, 2024 (Item #14), the Contractor agreed to perform certain services based upon the terms and conditions specified in the Contract and in consideration of certain sums specified; and

WHEREAS, pursuant to Form P-37, General Provisions, the Contract may be amended upon written agreement of the parties and approval from the Governor and Executive Council; and

NOW THEREFORE, in consideration of the foregoing and the mutual covenants and conditions contained in the Contract and set forth herein, the parties hereto agree to amend as follows:

1. Form P-37, General Provisions, Block 1.8., Price Limitation, to read:
\$50,880
2. Modify Exhibit A, Revisions to Standard Provisions, by adding Subsection 1.5., to read:
 - 1.5 Paragraph 6, Compliance by Contractor with Laws and Regulations/Equal Employment Opportunity, Subparagraph 6.1., is amended as follows:
 - 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, RSA 151:21 Patients' Bill of Rights, civil rights and equal employment opportunity laws, and the Governor's order on Respect and Civility in the Workplace, Executive Order 2020-01. 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.
3. Modify Exhibit C, Payment Terms; Section 3, to read:
 3. Payment shall be on an hourly basis at a rate of \$130 per hour not to exceed sixteen (16) hours per month. If services are provided for more than ten (10) hours per month (ten (10) hours up to a maximum of sixteen (16) hours per month), Department approval is required.

All terms and conditions of the Contract and prior amendments not modified by this Amendment remain in full force and effect. This Amendment shall be effective retroactive to December 1, 2025, upon Governor and Council approval.

IN WITNESS WHEREOF, the parties have set their hands as of the date written below,

State of New Hampshire
Department of Health and Human Services

11/21/2025

Date

DocuSigned by:

Marie Noonan

2ECCB724C31E40E

Name: Marie Noonan

Title: DCYF Director

David A. Bogacz, DMD

11/21/2025

Date

DocuSigned by:

David Bogacz

AD44DCA5DD5B422

Name: David Bogacz

Title: David A Bogacz DMD

The preceding Amendment, having been reviewed by this office, is approved as to form, substance, and execution.

OFFICE OF THE ATTORNEY GENERAL

11/21/2025

Date

DocuSigned by:

Robyn Guarino

748734844941460

Name: Robyn Guarino

Title: Attorney

I hereby certify that the foregoing Amendment was approved by the Governor and Executive Council of the State of New Hampshire at the Meeting on: _____ (date of meeting)

OFFICE OF THE SECRETARY OF STATE

Date

Name:

Title:



State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

Board of Dental Examiners

Pursuant to RSA 310:8, I - this is to certify that

DAVID ALAN BOGACZ

is licensed to practice as a(n)

Dentist

LICENSE NO. 02019

EXPIRATION DATE: 04/30/2026

Always verify licenses online at <https://forms.nh.gov/licenseverification/>

David A. Bogacz, D.M.D.

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EDUCATION

D.M.D., Boston University School of Graduate Dentistry, 1985

B.S., Tufts University, 1981

Major: Biology

EXPERIENCE

2021-present

NHTI, adjunct professor, EFDA instructor

Responsible for the preclinical training of CDAs in the placement of filling material. Completion of this course and the externship qualifies the EFDA to place restorations under the direct supervision of a licensed dentist

2021-present

John H Sununu Youth Services Center, Manchester NH

Contracted dentist managing their Public Health Dentistry program and providing dental care to the residents in SYSC.

1985-2021

Private Practice, Concord, NH

General practice, experience in operative dentistry, endodontics, periodontics, fixed and removable prosthetics including implant Restoration, pediatric dentistry and exodontia.

1994-2016

New Hampshire Hospital

Consultant staff in the dental department of an acute care psychiatric hospital. Until recently provided dental care in the dental clinic at NHH. The Dental department at New Hampshire Hospital has been closed.

2014-Present

Merrimack County Nursing Home, Boscawen, NH

Contracted dentist managing their Public Health Dentistry program and providing dental care to the residents in their dental clinic.

2014-Present

Glenclyff Home, Glenclyff, NH

Contracted dentist managing their Certified Public Health Dentistry program and Providing dental care to the residents in their dental clinic.

2014- Present

Midstate Health Center, Dental clinic

I was their first Dental Director and oversaw the establishment of their new dental clinic. I recruited the current Dental Director. I currently practice with her there as needed. I am

involved as a preceptor for the intern site for UNE Dental School. I attend the management meetings and serve as a consultant to the Dental Director and the Director Of Midstate Health Center.

2019-Present

St Johnsbury Dental Associates

Part time associate general practice, including operative dentistry, fixed and removable prosthetics including implant restoration and exodontia.

AFFILIATIONS

Licensed Dentist, State of NH since 1985

Licensed Dentist, State of VT since 2019

American Dental Association

New Hampshire Dental Society

Concord Dental Society

Academy of Operative Dentistry

Academy of Gold Foil Operators

New Hampshire Dental Study Group

**Continuing
Education**

Extensive post graduate education, including lectures, clinical participation courses, and membership in an operating study club. New Hampshire requires 40 hours of CEU every biennium which I exceed every year, details can be provided upon request.